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A STRATEGY FOR IMMIGRATION
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Citizenship and
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Publications

INTO THE 21ST CENTURY:

A STRATEGY FOR
IMMIGRATION AND CITIZENSHIP



Canada

INTO THE 21ST CENTURY:

**A STRATEGY FOR
IMMIGRATION AND CITIZENSHIP**

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STATEMENT BY THE HONOURABLE SERGIO MARCHI MINISTER OF CITIZENSHIP AND IMMIGRATION

Immigration is among the most compelling issues with which we as a country are faced. It speaks to who we are. It reflects our history as a nation and it heralds our future as a society.

The immigration and citizenship program is a vehicle that will carry Canada into the 21st century and beyond. Our challenge is to ensure that the path we choose today leads to a sustained and improved society for all Canadians in the generations to follow.

Over the course of the past year the Department of Citizenship and Immigration has taken up this challenge. We have sought to improve what we do well and to correct what we can do better.

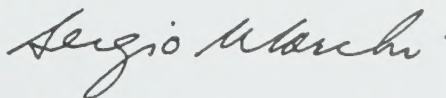
Earlier this year, I initiated a consultation process to better understand what directions Canadians want to establish for the future of our immigration and citizenship program. I engaged in a dialogue with more than 10, 000 people from every walk of life and from every part of our country.

All too often, consultation is regarded as an excuse to avoid action. Indeed, this cynicism has sometimes been fed in the past with exercises that had no results. I was determined to overcome this cynicism and demonstrate that the Government is prepared to listen to Canadians' priorities and to act upon them.

I was told that Canada's immigration policy can, as in the past, continue to help strengthen our nation. I was told that immigration should be used as a tool to help meet Canada's needs, for the present — and for the future. I was told that we must ensure an immigration program that reinforces priorities established elsewhere, such as a desire to preserve our quality of life and to live within our means. Above all else, I was told that we require a vision which identifies clear social, economic and humanitarian goals to carry us forward as a nation.

This document, which I am tabling today along with *A Broader Vision: Immigration and Citizenship Plan, 1995-2000*, establishes direction for Canada's immigration and citizenship policy for the next ten years. It is a policy based on clearly identified goals.

As citizens, we all share in the responsibility to guarantee Canada's future. As a government, we are engaged in shaping the nation's future. I invite you to join us.



Hon. Sergio Marchi, PC, MP
Minister of Citizenship and Immigration

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EXECUTIVE SUMMARY

PRIORITIES FOR ACTION

EXECUTIVE SUMMARY - PRIORITIES FOR ACTION

The fundamental commitment of this government is to provide good, affordable government. In order for the Department of Citizenship and Immigration to advance this objective, a creative and comprehensive approach to long-term planning is needed. An approach that will be sufficiently responsive to accommodate innovation and change, yet resolute in its goal for a secure and confident place for Canada in the 21st century.

The immigration and citizenship program is an expression of Canada's national values both to Canadians and to the world. It is a significant part of the dynamic process of shaping Canada's future. Immigration, in particular, is an important factor in Canada's economic growth and labour force skills. Canadian citizenship, and its corresponding rights and responsibilities, are representative of what Canadians share and cherish. Together they provide all that is needed to meet the challenges presented by a world increasingly characterized by sweeping and rapid change.

Part of this change is Canada's own fiscal reality. We must be mindful that resources once plentiful are now dear. In this context, our citizenship and immigration program must be more than fair and compassionate, it must be affordable and sustainable. Action in such a context requires more strength of will than governments alone can provide. Canadians are increasingly reluctant to have government make decisions without their participation. The public consultations that shaped this framework are a product of Canadians' renewed interest in participatory citizenship. They are the source of its strength; they provide for its credibility; and, they set the terms of its accountability.

These national consultations have also launched a renewed partnership with the provinces. The Canada-Quebec Accord is a key building block of Canada's overall immigration program. Priorities for cooperation with all provinces have been identified. This partnership will need to be extended by including other important players. The shared interest in developing a long-term plan and the spirit of collaboration which has characterized the initial steps of this partnership augur well for Canada's future.

The consultations were the beginning, not the end of public participation in improving the system. If this plan is to be translated successfully into action, further consultation, discussion and participation will be needed.

"There should be more public consultations such as this..."

Participant at a meeting organized by a Kingston, Ontario, M.P.

This plan is based on fairness, sustainability, affordability and partnership. It maintains the immigration and citizenship program's commitment to economic development, family reunification and humanitarianism. It also recognizes that the effective settlement of immigrants is necessary if both newcomers and Canadians are to realize the full benefit of immigration. Elements of this plan respond directly to concerns that Canadians have about their personal safety and about Canada's institutions. Finally, through this plan, the Department of Citizenship and Immigration commits itself to serving Canadians better.

This plan sets immediate goals, but more importantly, it sets direction for the future management of the immigration and citizenship program.

ENRICHING CANADA'S SOCIAL FABRIC

Canada's immigration, citizenship and refugee programs depend on the good will of Canadians — their desire to be good neighbours and to welcome newcomers into the Canadian family. Ensuring newcomers have an opportunity to participate fully is fundamental to Canadian society.

- a new Citizenship Act will inform and inspire newcomers and citizens alike with an appreciation of what it means to be Canadian
- a greater share of immigrants will be selected on the basis of their ability to contribute to Canada's economic and social development, reducing demand on integration services
- the Department of Citizenship and Immigration (CIC) and the Department of Human Resources Development (HRD) will work to:
 - ensure immigrants have access to labour market training

"It is necessary to teach respect for differences if we are to survive together as a nation, and as a world." Consultations participant, Dorval, Quebec

-
- establish a “national clearinghouse” on accreditation for the recognition of foreign credentials, with provinces and professional associations
 - CIC will improve efficiency and cost-effectiveness of language training and other settlement services by:
 - pilot testing with interested provinces, municipalities and non-governmental service providers (NGOs) a pooling of available settlement resources, for allocation by a representative panel at the community level
 - working with these partners to create a settlement services network, including sharing best practices
 - finding ways to shift a greater proportion of settlement costs from taxpayers to those who benefit directly from these services

SUPPORTING ECONOMIC GROWTH

Canadians are confronting sweeping economic and social change as Canada moves from a resource-based to an information-based economy. The immigration and citizenship program will be managed to provide enhanced and direct support to creating the skills base and the environment necessary to use change as an opportunity for growth and advancement.

- selection criteria will place greater emphasis on abilities which will help an immigrant adjust to changing labour market needs. Knowledge of English or French is critical
- applications of immigrants needed to fill specific labour market shortages identified by the departments of Human Resources Development and Industry will be expedited
- a CIC/HRD working group will streamline processing of temporary foreign workers needed by Canadian firms
- processing for limited numbers of independent and business immigrants identified by provinces to meet their economic or market development objectives will be expedited

“Because of the diversity of the work force, Canada is able to penetrate international markets and participate effectively and efficiently in a foreign economy.”

Consultations participant, Calgary, Alberta

-
- the business immigration program will be strengthened by:
 - placing greater emphasis on applicants with strong business backgrounds and potential for integration into Canada's business community
 - making sure entrepreneurs honour their business investment obligations
 - clarifying standards for determining economic benefit, with provision for provinces to add elements to suit local conditions
 - placing an immediate moratorium on new private immigrant investor funds, pending redesign of the program (applications for new provincial government funds may be made up to December 31, 1994)
 - establishment of a private sector expert panel to be named shortly, to advise the Ministers of CIC and Industry Canada on ways to improve national economic benefit
 - specialized business immigrant service centres will be established or strengthened at key missions abroad
 - with respect to foreign students, CIC will facilitate foreign recruitment by provinces and educational institutions
 - recruitment and promotion strategies for economic immigration will be integrated with the government's economic agenda and with foreign relations plans for particular countries, regions and emerging export markets

"...family is the
basis of society."
Consultations
participant

MAINTAINING A STRONG FAMILY PROGRAM

Moving to a new country, adapting to a new environment and learning a new language are daunting challenges. Families, neighbourhoods and communities are where Canadian values and traditions have evolved and where newcomers are welcomed into Canadian society.

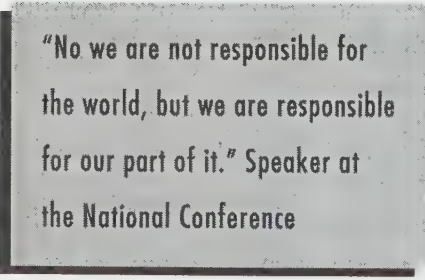
- priority will continue for spouses and dependent children
- a strategy to improve compliance with sponsorship obligations will be introduced, including:
 - an improved sponsorship contract to simplify enforcement
 - more realistic financial criteria for sponsorship
 - possible introduction of a financial guarantee or sponsorship bond

-
- improved information exchange among all levels of government
 - pilot test initiatives with one or more interested municipalities
 - parents and grandparents will be established as a separate immigration category — the size of the category will be managed to safeguard the shares of other categories in the program
 - consideration will be given to allowing Canadians to choose who they most want to sponsor while managing total numbers to safeguard the balance between the economic and family components

REALIZING CANADA'S HUMANITARIAN MISSION

Canada's refugee and humanitarian program is its contribution to sharing the global burden for preventing involuntary migration and to providing protection to those forced to flee their homelands. Canada's reputation for humanity, compassion and fairness is based upon the willingness of Canadians to extend assistance or protection to those in need. The immigration and citizenship program will ensure that this commitment is honoured.

- CIC will work with partners within and outside government, nationally and internationally, to establish coherent policy approaches to global migration including:
 - addressing the root causes of involuntary migration
 - ensuring humanitarian responses for those forced to flee their homelands
 - fostering a positive framework for voluntary migration which facilitates exchanges of people
- the refugee program will be managed separately to distinguish its protection and burden-sharing objectives from the different objectives of the immigration program
- common CIC/IRB training of decision-makers will be introduced to achieve greater consistency between the in-Canada and overseas refugee processes



"No we are not responsible for the world, but we are responsible for our part of it." Speaker at the National Conference

- increased efforts will be made to resettle women and children refugees in need of protection
- in refugee cases calling for urgent action, protection considerations will continue to receive priority over integration potential
- CIC will pilot test ways of encouraging more private refugee sponsorship
- beginning in 1995, CIC will work with interested provinces to resettle a greater proportion of refugees in non-traditional destination communities across Canada
- international responsibility-sharing agreements and consensus on first asylum policies will be pursued with other countries which share Canada's commitment to refugee protection

FAIR ACCESS AND THE RULE OF LAW

Canada is a peaceful, law-abiding society which values its social institutions and the freedom afforded by personal security. The immigration and citizenship program will work in closer cooperation with partners in the public and private sectors to meet its responsibility to protect Canadians.

*"Canadians take their country
and their freedom for granted."
I Chose Canada, 125th
Anniversary Book*

- priority will be given to passage and enactment of Bill C-44, now before Parliament, to prevent misuse of the refugee protection system by serious criminals and to permit seizure from the mail of documents intended for immigration fraud
- the process of open dialogue on immigration control and enforcement, which began during the recent consultations, will be continued and strengthened
- CIC will actively seek greater policy, technology, legislation and information and task sharing cooperation with other federal enforcement agencies
- CIC will further clarify priorities and procedures for removing from Canada criminals and others not entitled to stay
- security of Canadian travel documents will be further improved
- the look-out system to identify criminal and security threats will be further developed in collaboration with security, intelligence and transportation agencies

-
- new regulations will define “excessive demand” so as to protect health and social services, while recognizing immigrants’ economic and social contributions
 - more information-sharing agreements with other levels of government will be pursued, to establish an information base for ensuring government programs are accessed only by immigrants and refugees entitled to do so
 - more international information-sharing arrangements will be pursued to enhance control and enforcement activities

SERVING CANADA BETTER

Canadians’ belief that every human being should be treated with fairness and dignity must be reflected in the policies and practices of their government. For its part, the immigration and citizenship program will strive for excellence in providing its services both at home and abroad.

“We have to make our systems work more quickly and more effectively.”

Kingston and the Islands immigration consultations, Kingston, Ontario

- CIC will publish a service charter and standards to clarify rules, expectations, processes and procedures for both departmental staff and those they serve
- immigration and citizenship processes will be further streamlined and costs reduced, in ways compatible with meeting service standards, protecting Canadian sovereignty and security, and achieving program objectives
- CIC is redesigning systems to link processes in a continuum from immigration application, to citizenship acquisition, to passport issuance (in cooperation with Foreign Affairs) in order to improve service, protect system integrity and facilitate cooperation across government
- medical assessments overseas will be further centralized to reduce costs

MANAGEMENT OF THE IMMIGRATION PROGRAM

The management of specific categories and their share of total immigration will reflect the program's goals rather than some arbitrary target. Thus, a shortfall in, for example, the economic category will not be made up by increasing the family class, and vice versa. Management tools, including numerical limits, will be introduced where needed to maintain the relative shares of the various categories.

THE FEDERAL PROVINCIAL DIMENSION

Immigration is a shared federal-provincial responsibility. The Government of Canada is committed to achieving the goals of this plan in partnership with the provinces. The groundwork has already been laid and an action plan for the future is unfolding. From the bilateral consultations with provincial officials, priorities for cooperation have been identified and discussed at meetings of deputy ministers held in July and September, 1994. Federal-provincial work groups have been confirmed to address areas including: access to trades and professions; information sharing; promotion and recruitment; sponsorship; business immigration; and, settlement and language training.

As well, individual provinces have identified specific priorities and there is a joint commitment to addressing these through appropriate working arrangements.

Currently there are federal-provincial agreements on immigration with every province except Ontario, British Columbia and Manitoba. The most comprehensive agreement is the Canada-Quebec Accord. This agreement clearly delineates the roles of both governments. Of particular importance is the province's role in immigrant selection and its exclusive jurisdiction in immigrant integration. Negotiations are currently underway with the province of Ontario, and Manitoba and British Columbia have indicated an interest in pursuing agreements. Several of the provinces are seeking to update existing agreements.



BUILDING A FRAMEWORK

A. AN ENVIRONMENT OF CHANGE

B. THE GOVERNMENT ENVIRONMENT

C. A PARTNERSHIP ENVIRONMENT

D. CONSULTATIONS ON IMMIGRATION AND CITIZENSHIP

A. AN ENVIRONMENT OF CHANGE

Change has become a constant in Canadian society. Its effects are felt at every level. One need only consider the past twenty years to recognize the startling technological and social advances that have been made, and the irrevocable influences they have had on individual Canadians and on our society as a whole.

But change is also global. Nations are becoming increasingly interdependent as new trade, economic, transportation and information links are forged. As a result, countries are finding they have less control over factors directly affecting their sovereignty, their economy and their society. This means that increasingly they need to work together to deal with a growing number of international issues with far-reaching effects, issues like the environment and global migration.

"The concern...raised by many is about the *rate* of change, how disturbing...a high rate of...change is to the existing way of life."

Consultations participant,
Vancouver, British Columbia

Canada's success will be measured by the way in which its government and its citizens manage change, and by their ability to accept change as an opportunity to be creative. This is the new reality. The question is, how will Canada deal with the new reality?

B. THE GOVERNMENT ENVIRONMENT

For Canada to realize its full potential Canadians must plan for change and create a stable society built upon the fundamental values which have been the source of our collective strength. A dynamic and prosperous society where change is a positive force requires a government committed to securing the future, a government which listens to its citizens, and a government with a sound plan to achieve its objectives.

As outlined in *Creating Opportunity — The Liberal Plan for Canada*, this Government does have a plan for Canada's future. Its mandate is to provide Canadians with good, affordable and practical government. To do so requires that government evaluate itself to ensure that it is working in the best interest of all Canadians.

In the February 1994 Budget, the Government pledged to conduct a comprehensive review of its programs. Ministers are undertaking a thorough study of the programs delivered by their respective departments, considering the following criteria:

Public interest test — Do the program areas or activities continue to serve a public interest?

Role of government test — Is there a legitimate and necessary role for government in this program area or activity?

Federalism test — Is the current role of the federal government appropriate, or is the program a candidate for realignment with the provinces?

Partnership test — What activities or programs should be or could be transferred in whole or in part to the private or voluntary sector?

Efficiency test — If the program or activity continues, how could its efficiency be improved?

Affordability test — Are the programs and activities affordable within the fiscal constraint? If not, what programs or activities would be abandoned?

The federal government should continue to exercise responsibility for determining who should be admitted to Canada and who should become citizens. However, improvements to the immigration and citizenship program are essential. It is evident that all aspects of the program would benefit from closer, more effective partnerships — partnerships with provinces, territories, municipalities, school boards, industry, trade, labour, police, community groups, and most of all, with individual Canadians.

*"We should continue to target immigration levels of approximately one percent of the population...with priority given to independent applicants and the family class. As we reach towards this target, we must always consider our ability to absorb and settle immigrants." **Creating Opportunity, the Liberal Plan for Canada***

Like society itself, government is a collection of interrelated parts. Each part influences the others. If Canada is to realize its economic, social and international potential and build a society that can manage change effectively, all of the parts must mesh.

"...immigration objectives have to be seen as part of a much larger social process now taking place in the country..." Consultations participant, Vancouver, British Columbia

The Department of Citizenship and Immigration is only one part of a complex network of programs and policies which affects Canada's economic and social well-being. Its programs and activities intersect with those of other federal departments and governments. The achievement of our immigration objectives is also tied to how Canada responds to other related global challenges such as underdevelopment, peace and security, human rights abuses, trade and the environment.

C. A PARTNERSHIP ENVIRONMENT

Partnership and cooperation are important elements in building a strategy for immigration and citizenship to complement the work of Canada's federal, provincial, territorial and municipal governments.

The time is right for concerted federal-provincial action on immigration issues and priorities. Recently many provinces have expressed interest in working more closely with the federal government in this area of public policy. Discussions held with provincial officials, in the course of the consultations on the Framework, served to identify key areas for cooperation and opportunities for more effective partnerships. An important priority, as the new directions set in the Framework are undertaken, will be to continue the positive working relationship with the provinces. In the case of Quebec, this cooperation will be in the context of the Canada-Quebec Accord.

A FRAMEWORK FOR FEDERAL-PROVINCIAL COOPERATION

A Framework for Federal-Provincial Cooperation has been developed to provide a common basis for the negotiation of the specific arrangements with provinces. The Framework was tabled at a federal-provincial meeting of deputy ministers in July, 1994. It highlights a number of key areas:

- provincial advice in developing immigration plans;
- accommodating provincial objectives in immigrant selection;
- a coordinated approach to integration programs (with municipalities, school boards, NGOs);
- exploring opportunities for more efficient settlement programs and program funding;
- cooperation to maintain the integrity of public programs (e.g. health care and social services);
- sharing information and research to improve program management and to reduce the risk of abuse.

Partnership also extends to the Canadian public who is demanding, and rightfully so, to become more involved. As one participant said during the consultations: *"We want more information, more say, more often."* This Government appreciates and welcomes such commitment by Canadians. In response, it has adopted a new approach to governing, an open approach which stresses listening to and working more creatively with Canadians. This approach has been embraced in developing the Strategic Framework for Citizenship and Immigration.

D. CONSULTATIONS ON IMMIGRATION AND CITIZENSHIP

Launched in February 1994, the public consultations on immigration and citizenship involved Canadians in shaping a strategy for the next decade. The challenge, as with any consultative process, was to inspire and encourage those who do not normally participate to come forward and be heard.

In order to engage Canadians in a constructive dialogue, a framework for discussion had to be established and a consultative process mapped out. The objective was to make this an undertaking by Canadians and for Canadians. To this end, a group of individuals from a broad range of backgrounds and interests met and identified ten key issues for public discussion, as well as a general plan for the consultative process.

Since the goal was to involve as wide a spectrum of Canadians as possible, especially those not traditionally consulted on immigration, a variety of methods and mediums were employed. As interest in the discussions mounted, the consultations evolved and the opportunities for Canadians to participate increased.

The Minister took as many opportunities as possible to become actively involved. He and his Parliamentary Secretary attended townhall meetings co-hosted by local groups in cities across Canada. In a number of cities, the Minister held roundtable discussions with the immigration sections of the Canadian Bar Association and other non-governmental organizations. He also spoke at the annual general meetings of several organizations and associations. To reach an even wider audience, he participated in a series of radio and television talk shows and spoke to the editorial boards of daily newspapers in many of the communities he visited.

CONSULTATIONS ISSUES

1. A vision of Canada
2. Criteria for accepting immigrants
3. Humanitarian obligations
4. International cooperation
5. Integration
6. Improved coordination
7. Protecting Canadian society
8. Economic benefits
9. Partnerships
10. Research and development

In May 1994, a series of bilateral meetings between federal and provincial officials were held. Subsequently, federal, provincial and territorial deputy ministers met to discuss key issues identified at earlier meetings. The provinces demonstrated an interest in immigration and citizenship issues.

Ten working groups of experts were formed to examine the specific issues identified at the outset of the consultation process. These groups were made up of individuals from a wide range of backgrounds, all having specialized knowledge and experience in the particular issue they were asked to examine. Each group published a report presenting the views, conclusions and recommendations of its members.

Prior to the start of the public consultations, reports were commissioned on three specific immigration matters. In one, Susan Davis and Lorne Waldman, two non-governmental experts in immigration, conducted a review of issues related to the refugee determination process. The second report by Mendel M. Green, Q.C. reviewed the business immigration program from a practitioner's point of view. Finally, the Refugee Law Research Unit of York University and the Department of Citizenship and Immigration held a *National Consultation on the Immigration of Family Members*. The reports were included in the results of the consultations.

In six cities across the country, Canadians had the opportunity to join one of fifty-eight study circles organized by the Democracy Education Network to work through the issues. In addition, a tabloid presented Canadians with the facts and issues and encouraged them to submit their views and suggestions. It was distributed to schools, libraries, Members of Parliament and InfoCentres located in retail establishments across Canada. In addition, almost 13,000 Consultation Kits, designed to assist people in holding their own meetings, were sent to individuals, groups and Members of Parliament. Citizenship and Immigration Canada employees, working in Canada and abroad, were invited to submit their comments and ideas. In total, some 300 written briefs were submitted.

The views, concerns and suggestions received from the meetings, study circles and individual and group submissions were then synthesized and assembled. The resulting document was used as background information for the last element of this phase of the consultations — a national conference held in Ottawa in mid-September bringing together 200 Canadians. A report on the consultations is now available.

For some, the consultations were frustrating. A wide range of views and interests were expressed by the cross-section of Canadians in attendance. But as Minister Marchi pointed out, the frustration was a positive sign — a sign that Canadians were talking and listening to one another.

more than 10,000 people participated
130,000 tabloids distributed
13,000 Consultation Kits
7 public meetings
58 study circles
10 working groups
300 written submissions
a national conference



WHAT WE HEARD

A. MAIN CURRENTS OF OPINION

B. IMMIGRATION AND CITIZENSHIP

AND A VISION FOR THE FUTURE

A. MAIN CURRENTS OF OPINION

Throughout the consultations a number of themes were repeatedly expressed.

The majority of Canadians who participated in the consultations agreed that immigration and citizenship should continue to play a significant role in shaping Canada's future. Many are confident that immigration promotes economic growth and keeps Canada internationally competitive. For others, immigration and citizenship are critical to maintaining and advancing the development of a vibrant and tolerant society. At the same time, views and concerns expressed throughout the consultations need to be addressed if the program is to be strong and forward-looking.

A number of Canadians expressed concern about the impact which immigration and citizenship policies are having upon the values and traditions that form the foundation of Canadian society. This is not to say that Canadians are becoming intolerant. In fact,

when describing the most cherished characteristics of their society, Canadians usually mentioned tolerance among the first.

"I am proud to be Canadian. I am proud of the tradition of generosity and tolerance. I am, however, deeply concerned about the impact that immigration is having upon the fabric of our society." Consultations participant, Oakville, Ontario

Many people agreed with the Standing Committee on Citizenship and Immigration which reported that, "*Diversity is one of Canada's great strengths...*". But they are also worried that their country is becoming fragmented, that it is becoming a loose collection of parts each pursuing its own agenda, rather than a cohesive entity striving for the collective good of Canada. Many Canadians are concerned that immigration and

citizenship policies attend too much to the concerns of special interest groups, rather than to those of average Canadians. So, like the Standing Committee, many feel that "*...the importance of the whole must be emphasized. We must be a choir, not a cacophony.*"

Most Canadians expect newcomers to participate fully in Canadian society, and realize the obligation this places on both newcomers and citizens. As one participant put it, newcomers should be better informed about the "*...Canadian way of life and the rights*

and responsibilities of being Canadian...". Others recognize that Canadians need to be better informed about immigration and that Canadian institutions need to be more responsive to changing needs.

Many Canadians questioned taxpayers' ability and willingness to go on paying for the services that newcomers require. For some this meant re-examining the number of immigrants Canada should accept. A few called for a moratorium on immigration for periods of from two to ten years. Others suggested a decrease in numbers, at least until Canada's economic and social circumstances show marked improvement.

For many, however, the issue was not just a question of how many people are accepted, but whether Canada is choosing people who are able and willing to integrate into Canadian society and contribute to its well-being. Many expressed strong concern over those who sponsor their families and then fail to honour their financial obligations, resulting in additional burdens to Canada's social programs. In short, many Canadians are wondering about the trade-offs between the economic benefits of immigration and the costs.

Most Canadians value and take pride in Canada's reputation as a compassionate and caring nation. They want to continue this tradition, but are questioning Canada's ability to do so. Many wonder whether resources might not be better directed to tackling the root causes of migration, rather than seeking to resettle large numbers of people in Canada. A number of Canadians are concerned that Canada is not offering protection to refugees who need it most. Others are troubled by what they view as abuses to the in-Canada refugee determination process. There is widespread concern about Canada's health care and social assistance programs, and about the integrity of the immigration and citizenship program itself.

The immigration and citizenship program is often perceived as adding to overburdened health care, welfare and other social benefit systems. Yet most Canadians recognize that newcomers are not the principal source of the problem. While the majority of Canadians who participated in the consultations are proud of the fairness of these systems, they are also frustrated by what is sometimes seen as the excessive and costly protection offered by complex legal and administrative processes.

"Stricter enforcement of the laws of immigration will help to create a positive environment and Canadians will not be threatened."
**National Indo-Canadian Council,
Moncton, New Brunswick**

Recent opinion data has indicated that the majority of Canadians are also concerned about their personal safety. A few violent unfortunate incidents have led Canadians to question the immigration program's ability to control who enters and remains in the country and to remove those who violate our laws.

This fuels a concern held by many who participated in the public consultations: that the immigration and citizenship program is not serving Canadians or newcomers well. A number of immigration and citizenship processes were criticized as being inefficient, unnecessarily lengthy and open to abuse.

Policy and program answers are needed to address the concerns about Canadian society and the economy, about upholding the fundamental principles guaranteed by the Charter of Rights and Freedoms, about maintaining Canada's institutions and about protecting the personal safety of Canadians. Finally, and most importantly, a renewed immigration and citizenship program needs to build upon the vision that Canadians have for the future of their country.

B. IMMIGRATION AND CITIZENSHIP AND A VISION FOR THE FUTURE

When asked to outline a vision of Canada that, ideally, our citizenship and immigration program should reinforce, some participants expressed the opinion that Canadians lack a collective vision of the future. The more widely held conviction, however, was that most Canadians do indeed have a clear sense of the society they want to shape and share.

That vision of Canada includes:

- a dynamic, democratic, prosperous society which is compassionate and accepting;
- a society where each member has the opportunity to realize her or his potential;
- a society which shares common values and whose citizens recognize their mutual responsibility and reciprocal obligation to abide by these values and respect differences;
- a society which respects individual rights, yet works together to achieve goals that will benefit it and all its members;

-
- a society whose most cherished institutions, such as family, are supported and strengthened;
 - a society whose citizens can live without fear for their personal security;
 - a society which is governed openly, effectively and efficiently; and,
 - a society which is internationally respected for both its domestic and its foreign policies and practices.

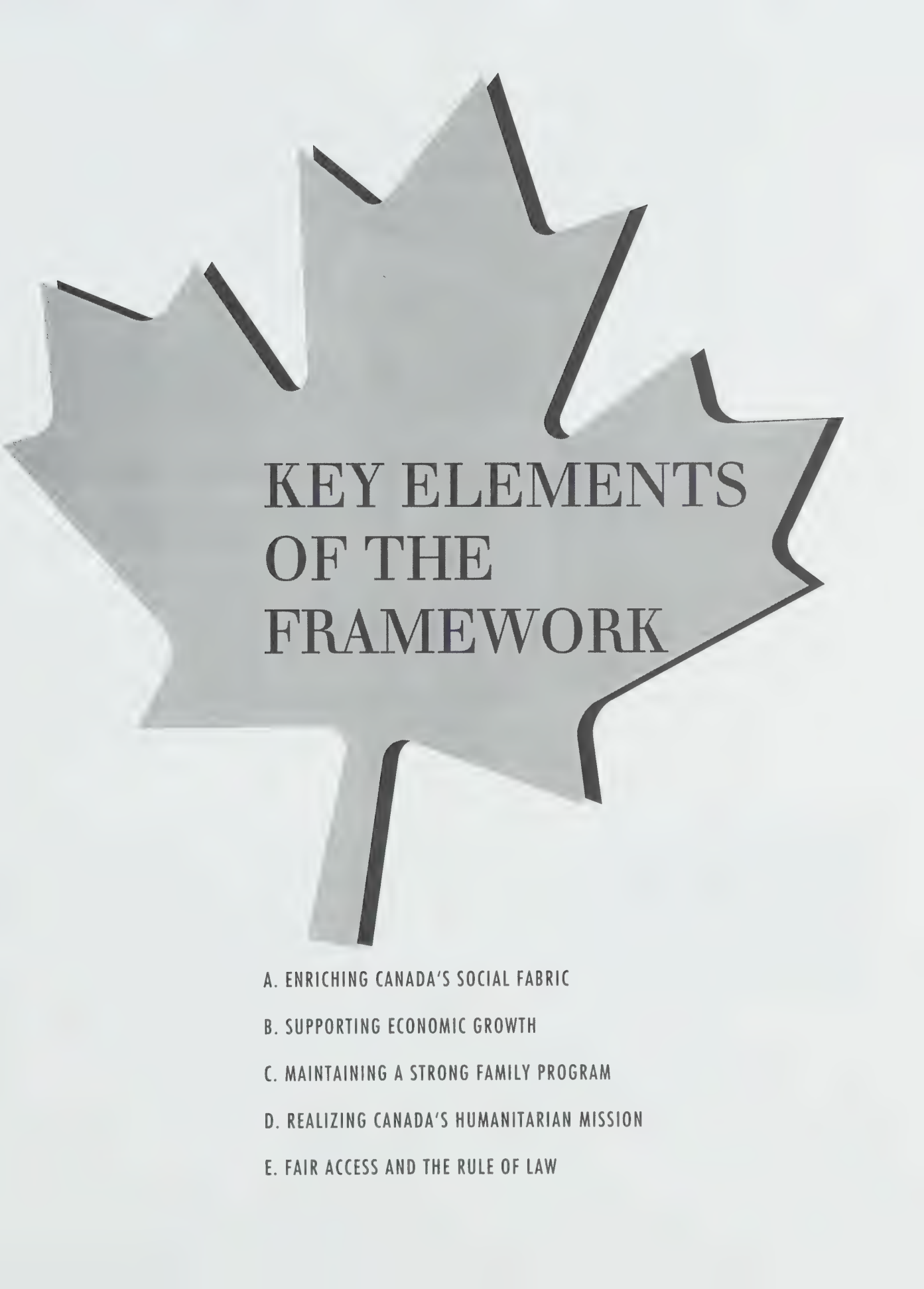
In many respects, the Canada of today reflects this vision. Canadians live in a healthy democracy. Economically dynamic and diverse, Canada is among the safest countries of the world with a quality of life second to none. Canadians are rightly proud of their reputation as a compassionate people who do not turn their backs on those in need or in danger. This reputation represents a fundamental and valued achievement. It must be safeguarded.

Some may worry about the consequences of offering such an attractive beacon in a world where millions are on the move, having been forced to leave their homeland. Should this cause Canadians to retreat from this vision — to back away from achieving Canada's full potential as a nation? On the contrary, Canadians should be confident that future challenges can be managed to Canada's advantage.

The immigration and citizenship program enhances Canada's reputation. If it is to continue to do so and maintain the support of Canadians, it needs to be based on fairness, sustainability, affordability and partnership. Such an approach will be to this country's benefit. It will ensure that Canada continues to attract newcomers who are willing, capable and eager to contribute.

The program review exercise provided challenges and the consultations provided direction. But, there are no ready answers or magic solutions. That is what the Strategic Framework is all about; Canadians and their governments working purposefully, and cooperatively toward a shared goal — the kind of society that Canadians aspire to have for themselves and to maintain for future generations.

"My vision of Canada is like these boxes of Lego. No matter which set or box the Lego comes from, no matter what colour, shape or size, the Lego pieces fit together and you can always build something neat. You can mix and match colours, shapes and sizes. What you build with the pieces of Lego is what is important, the product, the final vision." Young Canadian at the National Conference



KEY ELEMENTS OF THE FRAMEWORK

- A. ENRICHING CANADA'S SOCIAL FABRIC
- B. SUPPORTING ECONOMIC GROWTH
- C. MAINTAINING A STRONG FAMILY PROGRAM
- D. REALIZING CANADA'S HUMANITARIAN MISSION
- E. FAIR ACCESS AND THE RULE OF LAW

The intent of the framework outlined in the following pages is not to provide a detailed plan with a year-by-year list of specific initiatives or numerical targets. That would be to ignore the phenomenon of rapid change being experienced in every part of the globe. Responsible governments recognize that they need flexibility to respond to new challenges, not rigid plans which limit options unnecessarily. This framework sets some immediate goals, but more importantly, it seeks to set a direction for the future management of the immigration and citizenship program.

Decisions regarding immigration and citizenship are difficult ones, because they directly affect people. Governments, however, cannot retreat from making decisions that may appear to be uncompromising in individual cases. All decisions must be in the best interests of the country and its citizens.

The Framework that follows is based on fairness, sustainability, affordability and partnership. It maintains the commitment of the immigration and citizenship program to foster economic development, family reunification and humanitarianism. It also recognizes that the effective settlement of newcomers is necessary if both newcomers and Canadian society are to realize the full benefits of immigration. Elements of this Framework respond directly to concerns that Canadians have about their personal safety and Canada's institutions. Finally, through this Framework, the Department of Citizenship and Immigration has committed itself to serving Canadians better.

A. ENRICHING CANADA'S SOCIAL FABRIC

Immigration is about selecting new citizens. Citizenship means having access to the rights and fulfilling the responsibilities of membership in Canadian society. Fully realizing the benefits of immigration and fostering a tolerant society requires a commitment on the part of both newcomers and Canadians. Newcomers need to participate in the larger community and to respect and support the core values and principles upon which Canadian society and its institutions are based. So too, should Canadians respect other races and cultures. Knowledge and awareness precede respect.

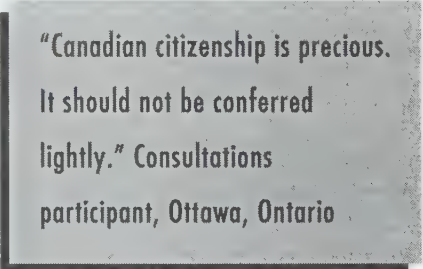
The changing nature of immigration to Canada has placed new demands on settlement services. Greater diversity has created an immigrant population with a wider variety of needs. Meeting those needs has not been easy. School boards, for example, have indicated that in an era of ever-tightening budgets they are struggling to offer adequate language training and to provide new students with the opportunity to receive the full benefit of a Canadian education.

CITIZENSHIP ACT

In April, 1994, the Standing Committee on Citizenship and Immigration was asked to review the current **Citizenship Act**, and propose changes to modernize the legislation. The Committee examined ways to enhance, “...*the value and visibility of Canadian citizenship...*”, and to “...*articulate the essence of the Canadian concept of responsible citizenship.*” It also focused on finding ways to strengthen the fairness and integrity of the legislation.

Citizenship is an expression of what Canadians hold in common. It embodies Canadian values, symbols and beliefs. Yet, during the hearings held by the Standing Committee on Citizenship and Immigration, the sentiments of many were expressed by one young man who stated that when his parents became citizens, “*They were not told what it means to be a Canadian citizen. They were just told, essentially, pass the tests, pay the taxes and that’s it.*”

If newcomers are to integrate successfully into Canadian society they need a better sense of what it means to be Canadian. They need to understand the values and principles that this society is based on. A new Citizenship Act would provide an ideal vehicle for articulating these values and principles.



“Canadian citizenship is precious. It should not be conferred lightly.” Consultations participant, Ottawa, Ontario

New directions

The new Citizenship Act would be aimed at providing newcomers and new citizens with a better understanding of the society in which they have chosen to live.

1. **Legislative changes** — A Citizenship Act must not only articulate, but reflect Canadian values. The new Act would ensure fairness and integrity. It would remove certain discriminatory aspects of current legislation, ensure that people receive equal treatment, eliminate inconsistencies in the granting of Canadian citizenship and improve the process of acquiring citizenship. A number of changes would be enacted to enhance the value of Canadian citizenship.
2. **A promotion strategy** — The Department will embark on a strategy to promote the value and visibility of Canadian citizenship. The strategy would include information about the rights and responsibilities of citizenship, as well as Canada's laws, institutions and values.

The direction planned for the promotion of citizenship would offer many opportunities for the Department to work in partnership with other departments such as Canadian Heritage, Foreign Affairs and International Trade, Human Resource Development and Justice and with provincial ministries, the private sector and non-governmental organizations.

SELECTION OF IMMIGRANTS

The Canadian economy is undergoing restructuring. Low wage jobs, including the

kinds of jobs immigrants have traditionally taken upon arrival in Canada, are becoming increasingly scarce. New jobs are emerging that require more education and training. Re-education and retraining will be required by many Canadians. The federal government discussion paper entitled "Improving Social Security in Canada" addresses the challenge of improving the social security system to help Canadians find and keep jobs in today's changing economy.

"Adult immigrants unable to speak either official language are only half as likely as the general immigrant population to participate in the labour force. Those who participate are twice as likely to be unemployed." Analysis based on Statistics Canada data on immigrant economic performance, 1994.

During the immigration and citizenship consultations, many Canadians asserted that if Canada cannot afford to provide the services newcomers need, a greater effort should be made to select immigrants who need fewer services.

Almost without exception, language was seen by those who participated in the consultations as key to an immigrant's success in Canada. Language is seen as either the greatest barrier to or the chief means of full participation in Canadian society. How can a person who does not speak English or French, even a person with needed skills: search for a job?; be interviewed for a job?; interact with colleagues?; or take direction?

"Even after 8 years in Canada those who could not speak English or French when they arrived have incomes only one third that of persons who were bilingual on arrival, half that of persons who spoke English and eighty percent that of persons who spoke French." CIC study on official language ability and its impact on immigrant adaptation, 1994.

Recognizing the importance of language, the federal government funds approximately 300 organizations, education institutions and private businesses to provide basic language training to adults. A small portion of the overall funding is used to provide overseas language training and orientation to individuals who have been selected to immigrate to Canada with priority given to refugees. The Department of Human Resources Development also funds educational institutions, community organizations and private businesses to provide advanced language training needed by immigrants to acquire new or use existing work skills.

Because resources are limited, less than 50% of newcomers needing language training are able to obtain federally funded services. One way of addressing this is to select people who already have the necessary language skills. Another cost effective approach is to enhance overseas training.

New directions

- 1. Improved selection** — To reduce costs, a greater share of immigrants who can participate fully in Canadian society will be selected. In the points system more emphasis will be placed upon selection criteria that indicate a high potential for success, such as language, age, education and employability (see "Supporting Economic Growth" for further details). Under the Canada-Quebec Accord, Quebec plays a specific role in immigrant selection, setting its own criteria for immigrants destined to Quebec.

2. Enforcing sponsorship obligations — While family members can help newcomers establish themselves in Canada, the legal and moral obligation that a sponsor accepts must be honoured. Initiatives outlined in the section entitled “Maintaining a strong family program” deal in greater detail with enforcing sponsorship obligations.

ACCESS TO EMPLOYMENT

Newcomers have the same dreams, aspirations and willingness to work as Canadians, and want the opportunity to use their skills and education. Equitable access to employment, especially with respect to recognition of academic, vocational or professional credentials, was an issue that was raised at every public meeting, in a number of working groups and in several written submissions.

Immigrants who are selected for their skills have recognized credentials and are usually able to find employment in their chosen field. But accompanying family members, sponsored individuals and refugees are often trained and experienced professionals whose skills and education are not recognized in Canada. It makes little sense to admit these immigrants, without making the minimum investment required to maximize their skills for use in Canada.

Various credential assessment systems and procedures, an area of provincial jurisdiction, have been established across the country. During the federal-provincial consultations the provinces invited the federal government to play a role in improving existing arrangements and achieving national consistency in accreditation.

Immigrants can only contribute to the economy if they are equipped to enter the work force. Many have skills and education which, if recognized in Canada, enable them to join the labour market shortly after their entry. Others require labour market training.

In the recently released discussion document entitled “Improving Social Security in Canada”, the Department of Human Resources Development deals specifically with “*improving access to learning*” for Canadians. It also discusses the increasing demand for retraining. Access to labour market bridging training may be an essential element to providing some newcomers with the opportunity to integrate into the Canadian work force and become fully contributing citizens.

Some professions already have more qualified candidates than job openings. In these cases, recognition of credentials alone would do little to improve a newcomer's employment prospects. However, training which would allow newcomers to work in fields related to their skills would, in the long term, benefit both newcomers and Canadian society.

Currently, a number of labour market training programs are accessible only to those individuals on unemployment insurance or social assistance. Newcomers are rarely eligible.

"The lack of recognition of foreign degrees and diplomas remains a problem for many immigrant women and men and a waste of resources for Canada." New Brunswick Advisory Council on the Status of Women, Moncton, New Brunswick

New directions

Two lines of action will be pursued to increase accessibility to employment for newcomers.

- 1. Access to labour market training programs** — The Department of Citizenship and Immigration will support the Department of Human Resources Development's objective — *"facilitate adaptation, so that recent immigrants who come to Canada with needed job skills and professional qualifications can more easily gain access to employment services and succeed in the transition into the Canadian labour market."* A starting point will be to identify occupations where there is a labour shortage in an area closely related to the skills, training and experience of unemployed newcomers.

(p. 31, Improving Social Security in Canada)

- 2. A national clearinghouse on accreditation** — In the discussion document on social security, HRD indicates that the *"federal government is interested in working with the provinces, employers and unions and voluntary groups to develop a Canada wide system of credits recognition to assist immigrants to find and keep meaningful employment commensurate with their skills and knowledge."* The Department of Citizenship and Immigration will work with Human Resources Development and partners to develop such a system, including a "national clearinghouse" to assess foreign credentials. It will provide a forum for improved exchange of information on policies and practices leading to greater consistency.

(p. 67, Improving Social Security in Canada)

3. Federal-provincial cooperation — As agreed at the immigration deputy ministers' meetings in July and September 1994, a federal-provincial work group led by the province(s), on access to trades and professions has been established to advance cooperation on these matters. The Department of Human Resources Development will participate in this working group, permitting its members the benefit of others' work and experience. This approach will ensure that everyone is working in the same direction.

SETTLEMENT SERVICES

Immigration is an investment, a long-term investment in new citizens. It affects Canada's immediate future and its development as a nation. It is critical that a considered and precise investment be made at the outset. To neglect this investment will result in lost opportunities for newcomers and Canadians alike.

Canada will only realize the greatest return on its investment with a genuinely fair, sustainable and affordable immigration program. Partnerships with all levels of government, community organizations, service providers, newcomers and Canadians are essential to ensure newcomers have the opportunity to participate fully in Canadian society.

Talk of investment in times of fiscal restraint translates into hard choices. There was a recognition on the part of most participants in the national consultations that government financial resources are limited and that competition for these resources is increasing. Some argued that investing in immigrants is so important that resources should be set aside for this purpose — in spite of our goals to reduce the national debt. Others suggested that newcomers should bear a greater share of the costs. At present, immigrants are not required to pay for settlement services funded by the federal government.

Participants in the consultations did not unanimously agree about who should be financially responsible for settlement costs, but many suggested that newcomers or their sponsors should shoulder more of the financial burden.

Currently, most settlement costs are borne by the federal and provincial governments, school boards, municipalities and non-governmental organizations. The federal government (through the Departments of Citizenship and Immigration, Canadian Heritage and Human Resource Development) provides settlement services by funding primarily non-governmental organizations to deliver needed services directly. Provinces frequently finance the same service-providing organizations while municipalities and school boards sometimes provide settlement services such as language training in their respective communities.

Federal funding for settlement services is available through such programs as the Language Instruction for Newcomers to Canada (LINC) Program, the Labour Market Language Training (LMLT) Program, the Immigrant Settlement and Adaptation Program (ISAP), the Adjustment Assistance Program (AAP) and the Host program.

These settlement programs account for almost 1/4 billion dollars of the federal funds allocated for immigration — a level adequate to meet the language and other needs of less than half of the immigrants who need such services. Funding levels in the provinces vary significantly. Under the Canada-Quebec Accord the federal government has withdrawn from the provision of linguistic and cultural settlement services in Quebec and compensates the province directly.

Immigrant-serving organizations which rely on government funding must often seek financing not only from different levels of government but under several different programs and from more than one department. The processes are often long and complicated. Administrative and reporting burdens use time and resources that would better be dedicated to meeting the needs of newcomers.

In addition, the number of funding arrangements inevitably increases the risk of duplication and lack of coordination of services at the community level. In discussions held with the provinces as part of the public consultations, a commitment was expressed by provincial and federal officials to find ways in which to reduce the confusion that service providers experience in obtaining new and adequate funding. Newcomers also need better information about where to get the services they need.

Some consultation participants saw the federal government as just another layer of bureaucracy with no unique contribution to make. Others, including non-governmental organizations, saw the federal government's role as one of developing standards and assisting in the exchange of information on key issues. A few expressed the view that the federal government should maintain a funding and delivery role separate from other providers. There were repeated pleas from service organizations for governments to get their act together.

SETTLEMENT RESOURCES 94/95

Immigrant Settlement and Adaptation Program (ISAP)	\$ 13.6M
Host Program	\$ 2.0M
Adjustment Assistance Program (AAP)	\$ 46.6M
Language Instruction for Newcomers to Canada (LINC)	\$103.1M
Labour Market Language Training (LMLT)	\$ 21.4M

New directions

Governments and stakeholders at all levels need to work together to find creative ways of funding and delivering services for newcomers.

1. **Simplifying the funding system** — A simpler, more efficient system of financing settlement projects needs to be identified. One approach would be for governments to pool resources and rely on the advice of a group of community representatives for funding decisions. The outcome would be a less cumbersome system for immigrant serving agencies to navigate in order to apply and account for financing. It would also reduce the likelihood of duplication and allow communities to coordinate their services better. Getting there would require a willingness on the part of all concerned to experiment — to try new and innovative approaches.

The Department of Citizenship and Immigration will seek partners to pilot test this approach in a limited number of communities. This will require cooperation with other federal departments as well as provinces and communities.

2. Sharing responsibility for costs — Many consultation participants argued that newcomers should bear more of the costs associated with language training and other services. Most expressed the view that refugees should be treated differently than other newcomers on the basis that Canada has a greater responsibility to this group.

Shifting a greater proportion of costs from governments and taxpayers to those who benefit directly is consistent with Canada's fiscal reality. Such a change, however, would have to be implemented so as not to disadvantage immigrants from particular regions. The special circumstances of refugees who have already accepted responsibility for repayment of a travel loan (more than 95 per cent fully repay the loan) also needs to be taken into account.

Australia has moved in this direction by introducing an "English Education Charge" which is used to offset the cost of language training for adult migrants. Another option for Canada would be to charge all immigrants a fee to cover settlement service costs. A third approach would be to charge a fee to individual immigrants for the services they use. The government could provide services only to refugees and let others obtain services on their own, or use funds generated by the business immigration program to finance settlement services.

3. National resource service — The exchange of information is required in at least three areas. First, provinces and service-providers need to have access to information on specific strategies that have worked well. Second, access to information on services and activities in other countries could enrich Canadian programs. Finally, better information about new groups of immigrants is important to develop programs to address their specific needs.

"The multi-level nature of government in Canada creates duplication of effort and gaps in service delivery for newcomers. Federal intentions do not always get reflected in local program offerings because they must be funnelled through a many layered bureaucracy." Carleton Board of Education, Ottawa, Ontario

"...It was suggested...that a source of funding could be from the independent stream itself."
Halifax public meeting

The Department of Citizenship and Immigration will explore with partners the feasibility of creating a national resource service that would house this type of information.

Provinces receiving fewer immigrants have less experience with immigrant-related issues, and yet often want to attract more immigrants. To do so they need to build a strong immigrant service network. Being able to tap into the experience of other provinces would provide invaluable information.

4. Federal-provincial cooperation — From the bilateral consultations with the provinces, a common theme was better coordination in the delivery of settlement programs and the need to address interprovincial mobility issues. A federal-provincial work group, led by the province(s), on settlement and language training has been established to develop recommendations to improve the settlement program as part of the 1996 Immigration Plan.

Federal and provincial governments will focus to a larger extent on two specific aspects of settlement: the range and eligibility criteria of programs available to newcomers and the roles of other partners (e.g. municipalities, school boards, non-governmental organizations) in the delivery of programs.

B. SUPPORTING ECONOMIC GROWTH

Studies in Canada, the United States and Australia indicate that in total immigration has a positive effect on an economy (see insert). The precise nature and size of the effect depends on the number of immigrants being admitted and, more importantly, on their skills, education and abilities. Not surprisingly, the larger the flow, the greater the importance these qualities assume: Some two-thirds of the increase in the size of the Canadian labour force between now and the year 2000 will consist of immigrants.

The Economic Council of Canada's 1991 study concluded that over time immigration raises the per capita income of Canadians, but by a very small amount. Immigration — increasing Canada's population — does not necessarily increase Canada's productivity.

Similarly, several studies conducted in the United States and Australia found that immigration has a positive impact on the economies of those countries.

- Economic Council of Canada **New Faces in the Crowd** 1991
- Foster, W. "Macroeconomic Effects of Change in Size and Composition of Intake: Results from the Extended AEM Model" in Proceedings of BIR Second National Immigration Outlook Conference, November 11-13, 1992, Sydney, Australia
- Council of Economic Advisors, "The Economic Effects of Immigration" CEA's 1986 Annual Report and the Economic Report of the President of the USA 1986.

The days when Canada needed a large pool of unskilled labour have long gone. Instead, Canada needs people who are entrepreneurial, literate and able to adjust to a rapidly-changing labour market. The criteria used to select immigrants should reflect contemporary circumstances, a fact noted by many of the consultation participants.

Many also agreed during the consultations that current economic circumstances should not be ignored when deciding how many and what kind of people to admit. They suggested that immigrants should be chosen for their potential to contribute in the medium to long term, as well as with a view to minimizing their need for services.

The initiatives being proposed are aimed at strengthening the economic component of immigration and balancing it alongside other immigration categories in order to better achieve Canada's economic and social objectives. The goal of immigration at 1% of Canada's population will be applied over the long term keeping in mind Canada's absorptive capacity.

SKILLED WORKERS

Research shows that immigrants selected for their skills and abilities are more likely to earn higher incomes than other immigrants, and more likely to contribute to the economy without resorting to welfare or making use of publicly-funded settlement programs. (see insert)

Skilled workers are selected on the basis of specific points-based criteria, which indicate their ability to enter the labour market quickly and contribute to the economy

over the long term. The current selection criteria emphasize an applicant's intended occupation often at the expense of language competency and education — criteria which permit individuals to adjust rapidly to the Canadian labour market.

Economic restructuring has changed the nature of many occupations, requiring individuals to learn new skills and adapt to a more automated environment. To reflect changing needs and to ensure that independent immigrants have the flexibility to succeed, the selection criteria need to be overhauled. The system also requires updating in order to provide provinces and employers with timely assistance in meeting their economic objectives and addressing labour market needs in emerging industries.

Independent immigrants selected for their skills demonstrate significantly higher employment earning than other immigrants. This holds true even when comparing independents to other immigrants with similar education, skill levels or language ability. As a result, those selected earn more, pay more taxes and make a larger economic contribution than other immigrants.

Strategic Research and Analysis Branch, CIC

New directions

The proposed changes seek to improve the skills, flexibility and diversity of the Canadian workforce responding to Canada's new, emerging economy. This will not exclude individuals who have specific occupational skills which are in short supply, for example, biotechnology. Such occupational skills would be identified by the departments of Human Resources Development and Industry.

The changes are also aimed at rebalancing immigration so that Canada selects a greater share of immigrants who can contribute quickly to its economic development. This may mean a decrease in the share of immigrants in other categories. As the economy grows and its needs change, limits may need to be placed on the number of skilled workers to ensure that supply does not exceed demand.

1. Improved selection criteria — The selection criteria for skilled workers will be improved to reflect Canada's rapidly-changing economic circumstances.

Through regulatory changes, admissions will be balanced on a broad sectoral basis to reflect the absorptive capacity of the labour market. Selection will no longer focus on an applicant's intended occupation. Revised criteria will emphasize a person's potential for long-term success based on education, experience, language skills, age, employability and adaptability to the changing labour market. While the current "point system" takes these criteria into account, there is a need to identify and emphasize those qualities which signal the greatest potential for success.

Measures will be introduced to expedite applications of immigrants who are needed to fill immediate labour market shortages.

The new regulations will be developed and reviewed in cooperation with provinces and stakeholders with a view to implementation in time for the 1996 Immigration Plan.

2. Meeting provincial needs — Provinces have frequently expressed an interest in choosing immigrants to meet specific economic needs and objectives. An enhanced partnership between the federal and provincial governments will provide provinces with the opportunity to choose a number of independent immigrants who meet provincial economic objectives. It will also ensure timely processing of their applications. Under the Canada-Quebec Accord, Quebec has responsibility for the selection of immigrants destined there.

During the consultations, the issue of the uneven distribution of immigrants across Canada was raised repeatedly. More information will be provided to prospective immigrants on a broad range of possible destinations. Efforts will be made to respond to specific skill needs in various regions. While immigrants can be encouraged to settle in smaller centres, it is what these communities have to offer that will make newcomers want to stay over the longer-term.

BUSINESS IMMIGRATION PROGRAM

The business immigration program seeks to promote economic development and employment by attracting people with venture capital, business acumen and entrepreneurial skills. The program also seeks to develop new commercial opportunities and to improve access to growing foreign markets by “importing” people who are familiar with those markets and their special requirements and customs.

The business program currently involves three categories of immigrants - entrepreneurs, investors and the self-employed.

Those wishing to come to Canada as entrepreneurs must demonstrate their intention and ability to establish, purchase or invest in a business that will create or maintain employment for at least one Canadian.

In order to qualify for the investor category, business immigrants must have a successful track record and a minimum net worth. A prescribed amount must be invested for a fixed period of time. Smaller investments are required in provinces which receive fewer business immigrants. The provinces review investment projects to determine their economic benefit.

Those interested in applying in the self-employed category must demonstrate an intent and an ability to keep themselves employed. Their endeavours must contribute to the economy or to the country’s cultural and artistic life.

The majority of provinces participate in the business immigration program by reviewing proposals, monitoring performance and, in some cases, promoting the program overseas. Quebec has a particularly active program and is directly engaged in the selection of business immigrants abroad, as provided for under the Canada-Quebec Accord.

Most consultation participants felt that the business immigration program could make a significant economic contribution. However, there was considerable concern that the program, in particular the investor category, was simply a "cash for visa" scheme. Some participants questioned whether the business immigration program contributes to Canada's economy. Others thought the program could contribute but wondered whether the maximum economic benefits were being obtained. There was also concern about whether enough was being done to curb abuse both by immigrants and promoters. There was widespread recognition of the fact that more needs to be done to convince potential business immigrants that Canada is an attractive place in which to live and do business.

New directions

Following the consultations and the recent review of the business immigration program, a number of changes will be introduced in 1995 to strengthen the program. The changes will enhance its contribution to business development, export market expansion priorities, to provide venture capital to small and medium sized business and minimize abuse. The number of business immigrants accepted will be managed to respond to changes in Canada's economy.

- 1. Improved selection** — Greater emphasis will be placed on selecting applicants with a strong business background and the capacity to integrate into the Canadian business community. This will apply to both entrepreneurs and investors. The criteria for qualifying under either component will be clarified so that applicants understand what is expected of them. This would also assist in ensuring that participants honour their obligations.

"...investor and entrepreneurial immigrants provide...essential boosts to Canada's competitiveness and ability to move from our traditional resource-based economy to the knowledge-based and entrepreneurial economy demanded by the global markets about the 21st century."

Consultations participant, Vancouver, British Columbia

At the same time, an attempt will be made to clarify the eligibility criteria for each component. The federal government will establish basic criteria such as the level of investment required. Provinces will be able to add elements to suit local conditions or “customize” the selection of a specific number of immigrants.

The current self-employed category will be incorporated into the skilled workers category.

- 2. Redesign of Investor program** — The investor program will be re-designed to strengthen it as a source of risk capital to small and medium-sized businesses so that it better supports economic growth and job creation. As of November 1, 1994, a moratorium will be placed on new investor fund offerings under the existing federal program pending its re-design.

A small, private sector, expert panel will be appointed to provide advice on the financial configuration for attracting business investors and for channeling funds into emerging economic sectors. The panel will provide advice on the best way to raise and use investor monies. This will enhance economic benefits and reduce abuse. Recommendations will be considered in close collaboration with the provinces and with the departments of Industry and Finance. They have been conducting national consultations on issues affecting small business growth, following the February 1994 Budget.

The panel is expected to report by Spring. Detailed discussions will be held with stakeholder communities, notably the provinces, on how to implement its recommendations. Program changes will be implemented in 1996.

- 3. New rules for entrepreneurs** — Rather than submitting a proposal without coming to Canada to understand the Canadian business environment, entrepreneurs will be encouraged to visit Canada as often as necessary before immigrating in order to become familiar with local conditions and to obtain the support of the province in which they intend to establish their business. Once admitted as permanent residents, entrepreneurs will be expected to establish a business within and maintain it for a specified period of time of between 6 months and 2 years. Provinces will be consulted on the details.

The standards for determining economic benefit will be made more objective and the provinces will be given more scope in adjusting the program to suit local conditions. As well, the mechanisms used to ensure that entrepreneurs comply with their conditions of entry will be streamlined and improved as recommended by Mendel Green in his recent review of the business immigration program. The planned changes will be in place for the 1996 immigration plan.

4. Expanding trade and commercial relations — In order to strengthen Canada's external links and contribute to the expansion of trade and commercial relations, the Department of Citizenship and Immigration will establish or, where they already exist, improve the services offered by specialized business centres at key missions abroad. Promotional strategies targeted at potential business immigrants are being developed in cooperation with the provinces. Currently most business immigrants come from Asia. Future strategies will focus on both traditional and emerging markets. All of these initiatives will be coordinated with the departments of Foreign Affairs and International Trade and Industry Canada. These improvements will also respond to the recommendations made to the Department by the Mendel Green Report.

5. Federal-provincial cooperation — Discussions will be held with the provinces to ensure that the anticipated changes fully address their needs. As a result of the immigration deputy ministers' meetings in July and August 1994, federal-provincial working groups, led by the province(s), on "business immigration" and on "promotion and recruitment" have been established to increase the effectiveness of Canada's efforts in these areas.

TEMPORARY ENTRANTS

Temporary workers — Temporary workers are admitted to Canada in order to fill the specific needs of employers. For example, a Canadian branch of a multinational company may wish to bring someone from its offices in another country to assist with a special project. Similarly, a Canadian company or province may temporarily require the services of an individual with specialized knowledge not available in Canada.

There is a need to ensure that the rights of unemployed Canadians are respected and that they have fair access to employment opportunities. However, occasionally there are compelling reasons for meeting the needs of employers who require the specific skills of individuals to contribute immediately to their business success and to the well-

"Immigration has a valuable role to play in filling immediate vacancies where occupational or skill gaps exist, with qualified foreign workers on a temporary or permanent basis." Consultations working group report -Economic Benefits

being of the country. Achieving a balance between these two objectives — the one to control, the other to facilitate — is often difficult.

Foreign students — Students wishing to pursue their studies in Canada must meet the requirements of the institution they plan to attend, and must prove that they can support themselves and any dependents.

Foreign students provide a unique opportunity for Canada to expand its international position and to enhance its profile as a competitive international player through the development of trade and commercial relations. Those who study in Canada and return to their country of origin often maintain close contact with their former educational institution and with fellow students and associates. Foreign students, once established in their own careers abroad, use the Canadian market and their Canadian connections to promote and pursue their commercial interest — opening new opportunities to Canada for business and trade, and for exchanges of information, technology and talent.

New directions

The changes being considered would clarify and simplify the process for employers seeking to bring in temporary workers and for foreign students wishing to study in Canada.

1. Working group on Temporary Workers — The immigration program needs to better focus on assisting the Canadian business community and industry in meeting their economic objectives. To this end, the processing of temporary workers will be streamlined to ensure timely responses to short-term employer needs. A working group will be formed with Human Resources Development to streamline regulations and operations within both Departments that affect the processing of temporary workers. The working group will conclude its review by summer of '95. The recommended changes will be implemented in 1996.

2. Access by foreign students — In an effort to maximize the opportunities for the expansion of international trade and commercial relations, the Department will work more closely with other departments, specifically Foreign Affairs and International Trade, Canadian educational institutions and provinces to facilitate recruitment of foreign students from abroad.

For example, the Asia Pacific Foundation, Citizenship and Immigration, the Canadian International Development Agency and the Department of Foreign Affairs and International Trade have formed a Joint Co-ordinating Committee for the Development of the Education Network in Asia. The federal departments involved are also working on a comparative study of immigration requirements for foreign students of major student receiving countries and the impact these requirements have on the recruitment of foreign students.

In addition, the Department is looking at ways to ensure that bona fide private colleges are not disadvantaged by immigration procedures in their recruitment of foreign students.

INTERNATIONAL PROMOTION

Canada's immigration program has been relatively passive — perhaps due to its origins as a supplier of unskilled labour and our reputation as a land of opportunity. This is no longer viable in today's global, competitive markets. Canada must compete with the United States, with the European Economic Community and with a rapidly-developing Asia. A more active recruitment and promotional strategy is needed in order to attract highly-skilled, well-educated independent immigrants and business people.

"In order to compete in the larger world market, Canadian firms must attract high calibre, skilled employees." Lachine-Lac St. Louis, Quebec Immigration Consultations

In 1982, independent immigration was restricted in response to the economic recession of the time. It has proven difficult to rekindle interest in Canada as a country that welcomes skilled workers. This has resulted in the need to diversify the source countries for skilled workers. Over the past year, visa offices abroad have increased their efforts to recruit skilled immigrants through targeted promotion and recruitment

plans tailored to meet both national and provincial needs. Specialized offices have recently been established in Dubai and Taipei. Existing offices in the United States and other areas are being equipped to tap pools of skilled immigrants more effectively.

In 1994, the Department spent \$250,000 to launch pilot projects in London, Warsaw, Karachi, Hong Kong and Bonn. Promotional tools including videos, touch screen kiosks and fact sheets are being used to strategically develop niche markets. In collaboration with the provinces, active recruitment of economic migrants has begun in Taipei, Dubai, Latin America and southern Germany.

New directions

1. **Recruitment and promotion** — In cooperation with the Department of Foreign Affairs and International Trade, recruitment and promotion plans will be integrated into Canada's economic and foreign relations strategies for particular countries, regions and emerging export markets.

As part of a larger economic strategy to improve Canada's human resource base (and to expand commercial relations and trade with regions and with countries that are, or soon will be, experiencing rapid economic growth), the immigration program has developed an **aggressive marketing and promotional stance**.

Services and **information campaigns** are planned for 1995 in such areas as southern India and Eastern Europe. These areas have been identified as good sources for skilled immigrants whose potential for successful settlement is high and/or who have specific skills which are in short supply in Canada. These shortages will be identified by the departments of Human Resources Development and Industry.

C. MAINTAINING A STRONG FAMILY PROGRAM

The immigration program has long recognized the importance that Canadians place on the family institution. Moving to a new country presents significant challenges for any individual. The support which the family provides is often crucial to successful settlement.

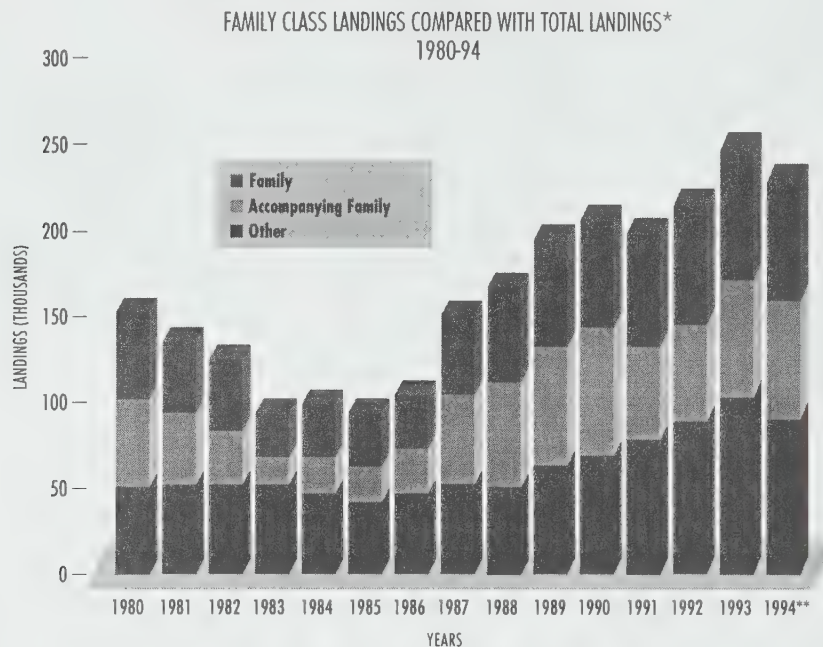
Under the current **Immigration Act**, a citizen or permanent resident 19 years of age or older may apply to sponsor certain close relatives to Canada. Family for the purposes of sponsorship includes spouse, fiancé(e), dependent children, parents and grandparents. Children must either be under 19 years of age and unmarried, full-time students or dependent on their parents because of a disability. This group comprises the largest share of family members who come to Canada.

"The family as a unit contributes to the socio-economic stability of a nation." Multiculturalism Association, Moncton, New Brunswick

Other family members are eligible under restricted conditions, although their numbers are few. Brothers, sisters, nephews, nieces and grandchildren can also be sponsored, provided they are orphans, unmarried and under 19 years of age. Children under 19 can also be sponsored by people wishing to adopt them. Finally, if a Canadian resident does not have any of these family members listed above, and has no family in Canada, he or she is eligible to apply to sponsor any other relative.

Although family class immigrants are not subject to selection criteria as independent immigrants, they do have to meet basic requirements of good health and character. Sponsors are obligated to sign an undertaking to provide housing, care and maintenance for the sponsored relative for up to ten years. The period of sponsorship is connected to the degree of dependency between the sponsor and relative.

Sponsored family members are expected to make up 47% of total immigration to Canada in 1994, while immigrants selected for potential economic contribution, and their families will make up 40%. The share of sponsored family, together with the immediate family who accompany selected immigrants, is expected to be about 70% of total immigration. Even after the changes outlined here have become reality, accompanying and sponsored family will continue to make up well over half of total immigration.



SPONSORSHIP — HONOURING OBLIGATIONS & CONTROLLING COSTS

While the benefits of family reunification and admitting family members are recognized, there has always been an understanding that sponsors should fully honour their obligations to support the family they bring. It has become apparent that in some cases this understanding is breaking down. Breakdown occurs when the sponsor, for whatever reason, fails to fulfill the commitments of the sponsorship agreement. In some cases, sponsors are unable to meet their obligations because they have lost their source of income. In other cases, a marriage dissolves and the sponsor may refuse to support the estranged spouse. In other cases it appears that the sponsors, sometimes in collaboration with the sponsored family member, choose not to honour their obligations.

Whatever the cause, when breakdown does occur the sponsored individual is often forced to seek public assistance. Preliminary results obtained from a department study of sponsorship breakdown indicate that about 14% of family sponsorships undertaken over the past ten years have broken down at a cost of approximately \$700 million annually for social assistance alone (see insert). Since these programs are provincial and in some cases municipal, the Department is not always aware that sponsorship breakdown has occurred. In addition, it does not have the necessary systems in place to act quickly on information when it is received. This may mean that sponsors who breach their obligations are able to sponsor again.

SPONSORSHIP BREAKDOWN

- Social assistance costs are between \$600 and \$700 million per year.
- About 14% of immigrant families in the Toronto area who were covered by sponsorship agreements were on welfare in 1993.
- Family class immigrants are less likely to be on welfare than other Canadians (14% vs 16%).
- Many older family immigrants depend on welfare.

Ongoing CIC study on sponsorship breakdown, 1994.

A number of sponsored parents and grandparents are on social assistance. Because these individuals are more aged, they face greater challenges with respect to settlement, and are often wholly dependent upon the sponsor for support. During the consultations, some participants were troubled by the fact that sponsors will occasionally use the dependent nature of the relationship to keep a sponsored individual in an abusive situation. Any initiative to ensure that sponsors honour their obligations will also need to address these concerns.

New directions

The proposed changes are intended to ensure that sponsorship is respected as a serious commitment and that sponsors are willing and capable of meeting their obligations. Action will be taken on a number of fronts.

"Sponsors should be required to show proof of financial responsibility and perhaps post a form of guarantee bond." Consultations submission, Dollard-des-Ormeaux, Quebec

1. **A new sponsorship agreement** — It is proposed that a new agreement be designed which describes the sponsors obligations more explicitly and makes the agreement more readily enforceable.
2. **New financial standards** — Concern has been expressed that the current financial requirement for sponsorship is unrealistically low. Discussions with provinces and other interested parties will begin shortly with a view to establishing realistic financial criteria which reflect regional circumstances. For example, it costs less to support a family in Regina than it does in Vancouver.

3. A financial guarantee — The consultations identified sponsorship breakdown as an issue which must be addressed. Discussions with provinces, non-governmental organizations, the public and financial institutions, sponsors will begin on the possible introduction of a financial guarantee or “sponsorship bond”. These discussions will identify how best to deal with this issue: When a financial guarantee is necessary to ensure sponsors honour their obligations; Who should be required to provide a guarantee; What sort of financial responsibility can reasonably be imposed on the family given other financial obligations; How should the ability of the sponsor to pay be assessed. New measures will be introduced in time for the 1996 immigration plan.

Australia has introduced three measures to transfer some of the social service costs associated with sponsorship breakdown from the public to private individuals. The Assurance of Support is a statutory declaration whereby the sponsor promises to repay to the government any benefits paid to the sponsored individual in the first two years following entry. This declaration is mandatory in cases where the risk of dependence on social benefits is considered to be high, as with, for example, most parents and aged dependents.

When sponsors sign an Assurance of Support, they must also post a bond to cover each adult they are sponsoring. The bond is in effect for two years, at the end of which any unused portion is released to the sponsor. The third measure is a Migration (Health Services) Charge used to offset medical, hospital and pharmaceutical costs. It is applicable only to people named in an Assurance of Support, both adults and children.

The Australian system has some appeal given that even if default occurs, at least some of the costs are recovered. On the other hand, the application of a bond may be seen to disadvantage certain people, in particular those from poorer countries.

4. Notification of sponsors — Sponsors may not have a good understanding of what their obligations are. Steps will be taken to ensure that these obligations are better explained at the time the sponsorship agreement is signed and when it appears that the sponsorship has broken down or is at risk of doing so.

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- 5. Better enforcement** — Improving governments' ability to track family sponsorship breakdown and enforce undertakings to support family members will require a cooperative effort among federal, provincial and municipal governments. Through provincial agreements and arrangements with municipalities over the next year, improved mechanisms for the exchange of information will be established. Once better agreements for the exchange of information have been effected, steps can be taken to develop enforcement procedures to reduce costs. This will include the development, in cooperation with other governments, of an effective strategy for the recovery of costs through the courts.
- 6. Pilot test** — Certain municipalities with large immigrant populations are particularly concerned about the effects of sponsorship breakdown. In order to assist these communities in addressing the issue and to learn more about what causes breakdown, the Department of Citizenship and Immigration will test a number of initiatives in one or more municipalities. The Peel Region of southern Ontario has recently agreed to participate in such a pilot test. Following an evaluation of the test results, broader implementation of these initiatives will occur in 1996.
- 7. Federal-provincial cooperation** — During the past year, Citizenship and Immigration has worked with the Province of Ontario to examine the question of sponsorship breakdown. This will provide a good information base for the provincially-led federal-provincial work group that has been created to examine this issue.

APPROACH TO FAMILY IMMIGRATION

In Canada, the traditional definition of family has been changing. Single parent families are now common. Family is also defined differently in other cultures. The traditional family unit, i.e. father, mother and dependent children, has long been at the heart of Canadian society. However, in other countries close ties frequently exist with extended family members. These are some of the factors which need to be considered in Canada's approach to family immigration.

"The family reunification class should be discontinued." Study Circle participant, North York, Ontario

"...the definition of family class does not currently take into account culturally diverse definitions of family and must be amended to be more inclusive." Women Looking Forward, Calgary, Alberta

During the consultations, many views concerning family class immigration were presented. There was no consensus, regarding the approach to family, although many recommended that family be restricted to spouses and dependent children. Others thought that the present approach, which includes spouses, dependent children, parents and grandparents was too restrictive. Their reasoning was that certain family and non-family members with whom Canadians may have a closer relationship were excluded.

Currently there is no limit to the number of family class applicants that are being processed. In future, the issue of affordability will have to be considered more carefully in determining the balance among immigrant categories and the share of family immigration.

New directions

1. **Reunification of spouses and dependent children** — Changes to family immigration will continue to give priority to the reunification of spouses and dependent children.
2. **Maintaining a balance** — The current approach to family immigration, which provides the opportunity to sponsor parents and grandparents, may not include those who provide or require the greatest support. Throughout the consultations interest was expressed in providing greater opportunities for the sponsorship of adult children, brothers, sisters and others with whom a sponsor may have a close relationship. For example, if given the choice a person may want to provide an opportunity for a sister to immigrate to Canada rather than a parent. Consideration will be given to allow Canadians to choose who they will sponsor. The federal government will decide on the number of people to be sponsored.

Concern was expressed that family immigrants may be less equipped to participate fully in Canadian society than immigrants selected for their skills. In view of these concerns a separate category for family members other than spouses and dependent children will be created. This category could be processed using the Australian approach where parents and grandparents can be sponsored when the majority of family members are already in the country. Another option would be to place limits on the total number of people processed in this category in any given year.

Such changes could only be considered in the context of stronger and better enforced sponsorship obligations. Care would also have to be taken to ensure that any measures introduced maintain the balance of family and economic immigration. For example, regulations introduced in June 1988 allowing the sponsorship of adult children who had never been married resulted in a much greater increase in family immigration than was intended.

Detailed discussions with experts and interested public's will take place throughout the first half of 1995 with a view to introducing any regulatory changes to alter the current family definition and/or to place limits on the number in the context of the 1996 immigration plan.

D. REALIZING CANADA'S HUMANITARIAN MISSION

More than 100 million migrants live outside their countries of origin. Up to 23 million of these people are refugees or in refugee-like situations — up from 3.5 million in 1985. In addition, some 26 million people are internally displaced within their own countries. These trends show no signs of abating. While migration pressures are significant in North America and Europe, they are the greatest in developing countries. As noted earlier, many migrants are women and children who face particular difficulties.

Mass movements of people, like those occurring in Rwanda, Haiti and Cuba are becoming increasingly frequent. Involuntary migration has many causes: War, ethnic conflict,

"Together, we must continue our pursuit of protection and solutions for the world's refugees. Our strategy must be based on partnership, our approach on solidarity. Our goal must be human security for all." Doctor Sadako Ogata, United Nations High Commissioner for Refugees

human rights abuse, rapid population growth and environmental deterioration, to name but a few. Improved transportation and communication have made migration easier, and instantaneous availability of information (the “CNN effect”) provides directional signals for the movement of migrants. The institution of asylum has come under great pressure, as some economic migrants attempt to use it as an alternate immigration system.

As this phenomenon grows, so too will the pressure on countries such as Canada to respond. The consultations revealed that Canadians want to continue to be compassionate and caring. They are concerned that perhaps Canada is not pursuing avenues which would provide more lasting solutions for refugees and refugee producing countries.

Canada must respond humanely to the world refugee crisis and work with other nations to develop effective international means to address the needs of the millions of displaced people. The Cairo International Conference on Population and Development — at which Canada took a leadership role on migration issues — confirmed that nations increasingly recognize these issues as needful of a global response.

A COHERENT CANADIAN STRATEGY

It makes little sense for immigrant-receiving countries to manage their immigration and refugee policies in isolation from their foreign policies, or from their other responsibilities as members of the world community. Links with development assistance, trade, foreign investment, human rights, environment, conflict prevention and humanitarian intervention policies are essential if effective responses are to be found to involuntary migration.

New directions

1. **Improved partnerships** — The Department of Citizenship and Immigration will work for improved policy coherence in partnership with Foreign Affairs and International Trade, the Canadian International Development Agency and other departments, as well as with other concerned countries and international organizations.

“In a world of dramatic change,...we can no longer view immigration and refugee policies as a domestic, sporadic response to occasional international crisis...”

*The Honourable Sergio Marchi,
House of Commons Debate on
Foreign Policy Review*

Examples of Canada's new approaches to international cooperation are recent initiatives with the governments of Russia, Italy and Hungary. Canada will be pursuing similar initiatives with other countries.

CANADA-HUNGARY

Areas identified for the sharing of experience and information on the basis of mutual benefit include the development of immigration processing, fine-tuning asylum procedures, refugee settlement and immigration control.

CANADA-RUSSIA

A technical assistance project will provide Russia with expertise in setting up immigration and refugee determination systems and help it carry out its responsibility for managing migration flows. This project is part of the overall Canadian program to support the democratization of Eastern Europe and will be coordinated with the capacity building initiatives of the International Organization for Migration.

CANADA-ITALY

A recently signed bilateral framework for regular consultations of immigration, refugee and related settlement issues provides for information exchange on trends in migration flows and immigration policy development. It also commits the two countries to join efforts in the "Cities Project", an international study to promote fact-based policy development by comparing the effects of immigration on the life of selected large cities.

SEPARATING REFUGEE AND IMMIGRANT STREAMS

A recommendation which emerged from many quarters during the consultations was that refugees should be treated as a group distinct from others immigrating to Canada. There was a desire to clearly reflect the reality that these two categories of people come to Canada for markedly different reasons. Immigrants are being pulled to Canada by opportunity. They come to join their families, to find new employment or to start businesses. By contrast, refugees are being pushed from their homeland by persecution. It is important not to confuse the two and their differing circumstances and needs.

"Immigration should be separated from the processing of refugees." Consultations participants, Toronto, Ontario

New directions

1. **A separate refugee program** — The Government accepts the principle that the refugee program serves policy objectives which are quite different than those of the immigration program. To ensure that these different objectives are not forced to compete to the detriment of each, the Government will, beginning in 1995, establish a refugee plan managed separately from other immigration streams. This will highlight for Canadians the different motivations and needs of refugees and immigrants. In addition, the refugee program will be secured for those in need of Canada's protection or assistance as resources will be explicitly allocated to a distinct refugee program.

THE INTERNATIONAL PROTECTION CHALLENGE

As a signatory to the 1951 Geneva Convention and the 1967 New York Protocol Relating to the Status of Refugees, Canada agreed to protect Convention refugees from returning to a country where they fear persecution.

“Convention refugee” means any person who

(a) by reason of a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion,

- (i) is outside the country of the person's nationality and is unable or, by reason of that fear, is unwilling to avail himself of the protection of that country, or
- (ii) not having a country of nationality, is outside the country of the person's former habitual residence and is unable or, by reason of that fear, is unwilling to return to that country.

Canada's humanitarian immigration is comprised of individuals who claim refugee status in Canada and are determined to be Convention refugees or otherwise are in need of Canada's protection, and of government-assisted or privately sponsored refugees brought to Canada from abroad for resettlement.

I. Resettlement from abroad

The Government believes that the sponsorship of refugees from abroad should be encouraged as the preferred means of admitting refugees to Canada. Such people have generally fled their homeland and are receiving temporary protection in neighbouring countries, frequently in refugee camps. For these people, where repatriation is not a feasible option, resettlement in Canada constitutes part of this country's contribution to sharing responsibility for the international refugee burden.

Some refugees destined for resettlement in Canada from overseas receive assistance from the government. Some are sponsored by private organizations or groups of individuals. In addition to accepting these "Convention refugees", Canada offers special

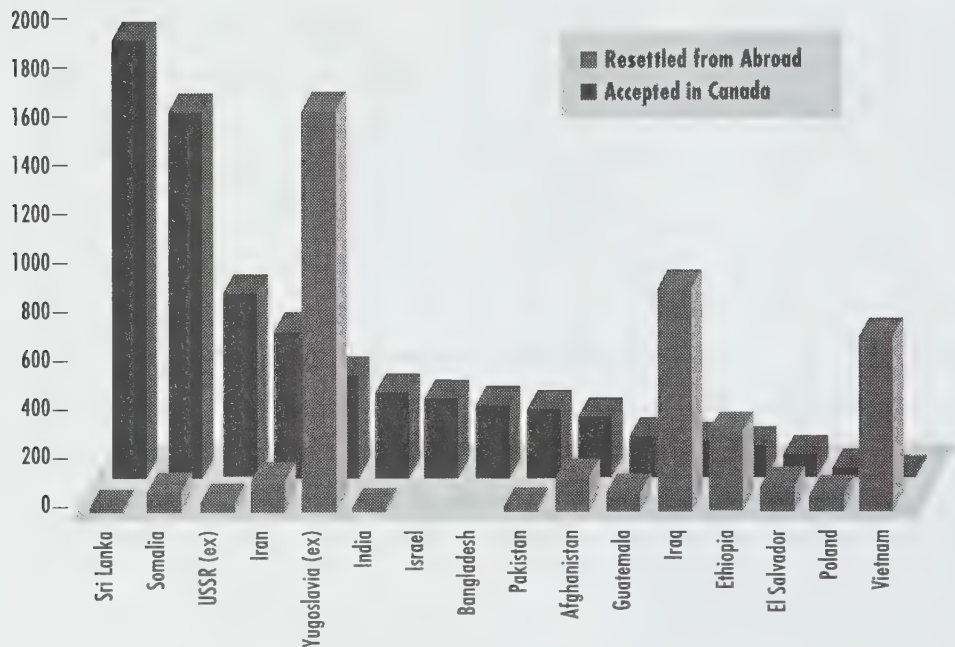
humanitarian programs for those who do not fall strictly within the Convention definition of refugee.

"The sponsorship of refugees from abroad, by government and by private initiative, should be encouraged as the principal means of admitting refugees to Canada. Not only is sponsorship a quicker and more humane method than waiting for refugees to wash up on our shores, it is also more cost effective." *Creating Opportunity, A Liberal Plan for Canada*

For many years, Canada has been one of only three countries to operate major, ongoing, refugee resettlement programs from abroad. The number of refugees admitted under the overseas resettlement program is in addition to those refugees who have made claims from within Canada and who have been allowed to remain in keeping with our international obligations.

Over the past decade, there has been a gradual shift in emphasis concerning resettlement as a solution to refugee outflows. Both the UNHCR and the international community have long recognized that resettlement is the least feasible option for the vast majority of the global refugee population, both in terms of the limited role played by most countries and the high costs involved. The UNHCR-preferred solutions to refugee outflows, in order of relative priority, are voluntary repatriation, resettlement in another country in the region, and resettlement outside of the region of origin.

REFUGEES RESETTLED FROM ABROAD, CLAIMS ACCEPTED IN CANADA
Major Source Countries 1994 (seven months' data)



Canada's approach to refugee resettlement has also evolved. The program has become multi-faceted with three key objectives:

- (a) Protection: to provide protection to refugees in countries for whom there is no option other than resettlement
- (b) Burden-Sharing: to share the burden on countries of first asylum, generally in the region of large refugee populations
- (c) Private Sponsorship: to encourage refugee resettlement in partnership with sponsoring groups and organizations

The challenge is to strike a balance between these objectives — which can, at times, work to cross purposes — and between needs and affordability. The refugee resettlement program is subject to the same financial constraints which face the Department and the Government in all areas of public policy. For example, if settlement potential were not taken into account in assessing refugees abroad for resettlement in Canada, costs would be significantly higher. The choice would then be between accepting fewer refugees who require longer timeframes and thus higher funding to establish themselves, or taking a greater number of refugees with potential for easier settlement.

New directions

1. **The need to protect** — For funding reasons, it is not possible to completely disregard a refugee's potential to settle successfully in Canada. Nevertheless, with respect to the overseas refugee resettlement program, protection concerns will continue to be given priority over settlement considerations in a number of urgent protection cases.

Evidence of this approach is the refugee Woman at Risk program, which has recently been reviewed and will be subject to further refinement.

Canada will continue its special efforts with respect to refugee women and children. The consultations revealed that many think Canada is not doing enough for these groups, given the fact that they form the majority of the global refugee population. The UNHCR estimates that 80% of all refugees under its mandate are women and children, but no breakdown by gender of the 59,000 refugees considered to be in need of a resettlement solution by the UNHCR is available. This will be reviewed with UNHCR, to pursue the Department's objective of maximizing the number of women and children refugees who are referred because they are in need of protection and resettlement.

The March 1993, IRB Chairperson's guidelines on women refugees fearing persecution are being used by the Board in the evaluation, against the Convention refugee definition, of women seeking resettlement. In a further refinement, the Minister of CIC's Declaration on Refugee Protection for Women, issued on June 1, 1994, *"...recognizes the need to overcome traditional, male-oriented views of the potential of refugees for "successful establishment" in Canada"* and will be the basis upon which CIC officials deal with women in refugee or refugee-like situations. For a complete text of the Declaration see Annex 5.

IRB GUIDELINES

The guidelines on women fearing persecution, issued on March 9, 1993 are the first to be issued by a national refugee protection agency in the world. At the 1993 Executive Committee meeting of the UNHCR, a Conclusion, supported by Canada, called on other States to institute similar guidelines."

2. Consistency in Canada and abroad — During the consultations, many of those involved in refugee resettlement expressed concern that the Geneva Convention refugee definition is being applied differently in Canada by the IRB than it is abroad by Canadian missions. Measures will be undertaken to achieve greater consistency between the two systems by providing common training to decision-makers in both areas.

At the same time, it should be underscored that the overseas and inland systems are fundamentally different. In Canada, the IRB is responsible for determining refugee status in keeping with Canada's international obligations under the 1951 Convention and 1967 Protocol. Canada has no similar international legal obligation to select refugees abroad for resettlement. In fact, refugees approaching missions abroad are not generally in need of protection from persecution. Accordingly, they are assessed under both eligibility (as Convention Refugees) and admissibility (medical, criminal, security and settlement potential) factors, as part of Canada's contribution to sharing the international burden of refugee resettlement.

3. Refugee sponsorship — Studies show that the added support received by privately-sponsored refugees helps them to integrate more fully and quickly into Canadian society than do government-sponsored refugees. It has long been recognized that partnerships are central to Canada's refugee resettlement efforts. A good example of this is the innovative joint resettlement agreement signed by Minister Marchi and the Canadian-Ismaili community in May, 1994. Under this agreement, 1500 Asian refugees (especially young people and female refugees) will be resettled from abroad. The costs of resettlement and integration will be shared by the government and the hosting community. Other innovative approaches will be explored and lessons will be drawn from experiences such as the Hungarian practice of providing subsidies to families which provide shelter to refugees.

A review of the private sponsorship system has been completed and steps are being taken to make the system work more effectively. The Department will seek to develop pilot projects with private organizations and communities, using some federal refugee funding to encourage private sponsorship.

During bilateral discussions with a number of provinces, better coordination of refugee arrivals was identified as one area for improvement. In the course of 1995, the Department will work closely with interested provinces to re-settle more refugees in less traditional immigrant receiving destinations. Closer cooperation with receiving communities and NGOs will be required to encourage refugees resettled from abroad to put down roots in communities apart from Toronto, Montreal and Vancouver.

4. Funding Refugee and Humanitarian Priorities — Refugee settlement in Canada, whether from overseas or from within Canada is expensive. Equally expensive is the in-Canada refugee status determination system itself. Canada also provides millions of dollars annually for humanitarian and emergency relief abroad through the Canadian International Development Agency.

There is a limit to the funds governments can dedicate to refugee protection and resettlement. Canada's response is limited by affordability and international legal obligations. This means that funding must be provided to deal with those claiming asylum in Canada. Canada's ability to resettle refugees from abroad will inevitably be affected by the funds needed to meet costs of refugees already in Canada.

A proposal will be developed for discussion with provincial governments and non-governmental organizations to identify and use all available funds to support refugees by the most effective means and, in keeping with our humanitarian objectives. Non-governmental organizations would be able to contribute resources in the form of resettlement services such as orientation, housing, language training or counselling. In addition, improving the efficiency of the in-Canada refugee status determination system and avoiding duplication of settlement services will maximize Canada's capacity, within available resources, to select refugees from abroad identified as being in need of protection.

II. International cooperation

The need for international protection is what distinguishes refugees from other migrants and exempts them from normal entry requirements. The widely-accepted “first asylum” principle requires that people in need of protection seek asylum in the first country where they find safe haven. Travel beyond that point becomes subject to normal international migration rules.

The challenge is to ensure that in every case a country is in fact prepared to accept responsibility for the examination of refugee status claims and, where needed, to provide protection in a timely manner. The UNHCR’s Executive Committee, in its 1993 General Conclusion on International Protection, recognized the *“advisability of concluding agreements among States directly concerned (...) to provide for the protection of refugees through the adoption of common criteria and related arrangements to determine which State shall be responsible for considering an application for asylum.”* Not only would such arrangements enhance refugee protection by facilitating the prompt and orderly handling of claims, they would reduce the misuse of asylum procedures as an alternate to immigration procedures.

New directions

1. Responsibility sharing — Canada will conclude international responsibility-sharing agreements with other nations committed to protecting people fleeing persecution. In anticipation of such agreements, Canada is working to advance international consensus on first asylum policies, notably through the inclusion of safeguards to ensure that people in need of international protection actually receive it.

THE PREVENTION CHALLENGE

The Report of the consultations working group which dealt with immigration in the international context pointed out that: *“Voluntary migration is a normal and largely beneficial phenomenon. Migration is a problem only when flows are massive and largely or totally involuntary.”*

Involuntary migration has negative effects on the well-being and stability of individuals, states and regions. A key migration challenge facing the international community today relates to prevention — how to eliminate the oppression, violence and economic or physical desperation that forces people to move.

International Cooperation

Nations the world over are recognizing that issues such as involuntary migration transcend borders and must be dealt with cooperatively by the world community.

New directions

"No country can meet all of these challenges alone. This is not a North-South or East-West problem. It is a global challenge — yet institutional and policy frameworks are light years behind our current migration challenges."

The Honourable Sergio Marchi, stated before the 1994 U.N. Conference on Population and Development in Cairo

1. Finding lasting solutions — Alone, Canada's ability to exert an impact on world trends is limited. Canada will, however, work with other nations, through its participation in the G-7, Commonwealth and Francophonie, to find lasting solutions to the forces that drive involuntary migration and to improve the international legal, policy and institutional frameworks for dealing with migration challenges. Canada will also work to advance an international migration agenda based on three fundamental challenges:

- addressing the root causes of migration
- ensuring humanitarian responses for those forced to flee their homelands
- fostering orderly, positive migration regimes that facilitate and regulate movements of people in a predictable way

The challenge of addressing increased migration is linked to the challenge of enhancing human security — be it combatting poverty, environmental degradation, persecution or conflict. Both receiving and sending countries share responsibility in meeting this challenge. Action aimed at enhancing human security must be long-term, comprehensive and cooperative.

At the Cairo Conference, population, migration and development were linked. The result was a program of action directly linking development strategies with the ability to manage international migration over the long term, making staying home a viable option. The universal agreement reached on this comprehensive program represented a substantial and unprecedented breakthrough.

E. FAIR ACCESS AND THE RULE OF LAW

All countries exercise control over who may enter and who may remain in their territories. Some countries have put in place comprehensive regulatory systems to control the movement of people. Australia, for example, requires that all non-citizens possess a visa to enter the country. It also enforces exit controls on departures. Other countries, including Canada, adopt a range of measures to control illegal migration while at the same time facilitating access to travelling citizens, legitimate visitors and newcomers across relatively porous borders. Each year millions of people cross the Canada-U.S. border, the majority of them returning Canadians or visiting Americans who pose no risk. Canada maintains visa requirements only where there are particular problems with illegal movements or document security. It has no exit controls. A number of steps to strengthen control and enforcement capacity have, however, been taken recently by the Canadian government.

VISITORS AND PERMANENT RESIDENTS, 1993

Visitors authorizations issued	220,848
Tourist visits	36,100,000
Immigration landings	240,138
Canada's population as of July, 1993	28,753,000

Note: Visitor authorizations refers to documents issued to foreign students and workers and tourist visits refers to border crossings (from the USA and overseas) and do not equate with the number of persons in Canada at any given time.

For an immigrant-receiving country like Canada, control mechanisms are essential to realizing public policies with respect to how many immigrants to accept in a given year, what the make-up of the annual group will be, what funding will be available and what steps will be taken to integrate newcomers into Canadian society.

The formal authority for Canada's immigration control and enforcement measures is found in the objectives of the **Immigration Act**, which include the need: *"to maintain and protect the health, safety and good order of Canadian society"* and the need *"to promote international order and justice by denying the use of Canadian territory to persons who are likely to engage in criminal activity"*.

Immigration is more than just a set of formal rules and requirements — it is about people. Often, visa and immigration officers are required to make difficult and sometimes unpopular choices between satisfaction of the legal requirements imposed by the **Immigration Act** and allowance for the compelling circumstances in particular cases. There is no hard and fast rule that can be applied to all situations. Common sense dictates that the law has to be tempered by compassion and that officers must be entrusted to exercise their discretion in individual cases. Enforcement, therefore, must be fair and respectful of the dignity and circumstances of those affected while, at the same time, it ensures the integrity of the system and the safety of our citizens.

Canadian values and principles are manifested in the country's national institutions. Canada's health care system reflects the principle of universal medical care based on need rather than on the ability to pay. The legal system recognizes the right of everyone to be treated fairly and equally before the law. Our immigration and citizenship institutions are similarly founded upon the values which have shaped Canada's unique character.

Access to Canada's institutions is a privilege. Fairness requires that access not be afforded to those who abuse Canada's hospitality. The Government is committed not only to preserving but to renewing Canada's most valued institutions. Evidence of this commitment is found in the current reforms of our social security systems and the establishment of the National Forum on Health.

In some cases, aspiring immigrants may be taken advantage of by unscrupulous consultants who seek to abuse Canada's immigration system for profit and at the expense of immigrants. Effective enforcement and control must also deal with this kind of exploitation and abuse.

Maintaining a robust immigration program and allowing fair access to Canada also requires strong measures to prevent and respond to any who would misuse the system to escape justice or to threaten the safety and security of Canadians.

ACCESS TO CANADA

Overseas prevention is the safest and most cost-effective way of keeping out those who pose a threat to Canadians. The selective use of visitor visas remains the primary means of preventing illegal entry. There is, however, a growing realization that new ways of controlling access to Canada will be required as people-smuggling operations become increasingly sophisticated. The challenge for Canada is to control illegal migration while respecting international obligations to offer refuge to those fleeing persecution.

The Department of Citizenship and Immigration has adopted an integrated approach to prevention — one based on partnership with transportation companies and foreign authorities. Cooperation is vital to screening for improperly-documented passengers headed for Canada and to improving document and screening technology. An Administrative Fee Policy has been introduced to ensure that transportation companies comply with the law in carrying only passengers who have valid and proper documents. Technical support for airline personnel is provided by a network of immigration control officers stationed at key missions abroad.

These steps, combined with training support from Canadian immigration control officers abroad, have contributed to a decrease in Improperly Documented Arrivals.

From 1989 to 1994, the interception rate (the proportion of individuals stopped while travelling with improper documentation) has more than doubled. The Department, in partnership with private industry and transportation companies, has also reduced the number of stowaways with the use of CO2 detectors which harmlessly detect human presence in shipping containers.

"Place adequate emphasis on weeding out criminal elements and reduce delays in removing immigrants/refugees who are convicted of serious crimes."

Central Alberta Refugee Effort, Red Deer Alberta

A number of legislative changes were introduced in 1993 which expanded criminal inadmissibility provisions to include members of criminal and terrorist organizations and people fleeing justice for crimes committed outside Canada. In addition, immigration officers at ports of entry were given the authority to search people for concealed documents and photograph and fingerprint those claiming refugee status in order to establish their identity. In 1993, the number of people who were refused overseas on the basis of criminality increased by over 50%.

Many consultation participants felt that Canada's current humanitarian systems and processes offer too much opportunity for abuse. Further legislative amendments, currently before Parliament (Bill C-44), will enhance Canada's ability to address the misuse of Canada's refugee protection by serious criminals. The changes will also remove the IRB's jurisdiction to hear appeals against deportation orders by serious criminals on grounds of equity, and will allow immigration officers to seize, from the international mail, documents which could be used to circumvent the **Immigration Act**.

A new removals strategy, announced in July 1994, gives priority to removing foreign criminals. A Joint Immigration-Police Task Force was established to carry out the removal of serious criminals. The knowledge gained and procedures developed by this special task force will form the basis of new strategies for the removal of individuals who have violated Canadian laws. At the same time, changes have been introduced which allow failed refugee claimants who have been permitted to remain in Canada for an extended period of time to apply for permanent residence.

CRIMINALITY AMONG IMMIGRANTS

Research indicates that:

- The foreign born are significantly under-represented among those incarcerated for serious crime in Canada. In June of 1991 they constituted less than 12% of the federal prison population but over 20% of the adult Canadian population.
- This pattern of under-representation holds for the relatively serious federal offenders in all regions of the country and among the less serious provincial offenders in B.C. (the only province examined).
- All previous studies dating back to the 1950s have shown similarly lower rates of criminal conviction for the foreign-born. Australian and U.S. studies have also yielded comparable rates.

Consultations have pointed to a loss of confidence in the immigration program's ability to control who enters Canada, and to enforce the **Immigration Act** against those who have been ordered removed. The main preoccupation rested with criminals who misuse the system. Although they constitute only a minority of those who are excluded or removed, such criminals undermine the credibility of the program and contribute to growing concerns about personal security. Public concern was also expressed about the need for fair and effective control if immigration is to fulfil the Government's objectives for the program and to maintain public support. These concerns raise a number of serious issues and merit careful reassessment of existing priorities and practices.

1. **Ongoing discussion** — The consultations provided the first opportunity for the public to participate in discussions on control and enforcement. In order to allow Canadians to have a say in shaping policy on control and enforcement, this consultative approach will continue. Based on these ongoing discussions, the removals strategy, announced in July 1994, will be elaborated upon and strengthened.
2. **An emphasis on prevention** — Canada will continue to emphasize preventive approaches through improved international cooperation. Concrete steps are being taken to establish cooperative arrangements including: Ensuring greater technological compatibility, harmonizing policies and legislative provisions where appropriate, exchanging information and sharing common tasks. Initiatives in all of these areas are underway and further opportunities for cooperation are being developed.
3. **Refined methods of operation** — Part of the July 1994 removals strategy dealt with priorities. Now that the Joint Immigration/Police Task Force has been in operation for a few months, methods of operation between Immigration and police agencies will be refined to ensure effective cooperation on removals. For example, current practices may need to be reoriented and clearer priorities established. Formal international mechanisms (e.g. agreements) will be developed with countries from which it has been difficult to obtain travel documents for people who are being

removed. Decisions may also have to be made with respect to who is best placed to handle a number of elements of immigration enforcement.

- 4. Modernization and effective use of technology** — New technology offers significant promise for more effective control. Improvements in airline screening of Canada-bound passengers is one example of how technology can increase efficiency. Work now being done on improving the security features of Canadian travel documents, including the use of machine-readable features, will make it harder to enter Canada illegally. Greater cooperation among governments and non-governmental officials in developing a more sophisticated look-out system will also increase Canada's ability to protect its citizens.

A number of initiatives involving technology are now being pursued to reduce the amount of time spent on screening travellers who present little or no risk at the border. This will provide more time to focus on intercepting high-risk travellers. A technology plan, developed in partnership with other agencies involved in secure-documents management, will be a key element of the enhanced strategy.

- 5. Amendments to the Immigration Act** — A number of legislative changes will be considered to reinforce the control and enforcement provisions of the Act. For example, currently deportation orders can only be issued by an immigration official. Consideration is being given to authorizing judges to issue deportation orders at the time of sentencing, rather than requiring a separate step. Pending amendment to relevant legislation, guidelines have been issued to correctional officers clarifying that those against whom deportation proceedings will be initiated upon release from prison should not generally be granted day parole.

- 6. A new Citizenship Act** — Proposed changes to the Citizenship Act will enhance the integrity of the citizenship process and the value of citizenship. The current legislation prohibits people from being granted citizenship under certain conditions related to criminal activity. Changes are being considered to widen the conditions under which granting citizenship will be prohibited. In addition, changes to the provisions governing revocation of citizenship are being proposed.

Amendments currently before Parliament would allow officials to suspend processing of a citizenship application when the person is the subject of immigration proceedings.

7. Federal-provincial cooperation — Greater cooperation and new technology are also being put to work within Canada. A provincially-led federal-provincial work group on information exchange has recently been established by immigration deputy ministers and promises to be a key new mechanism. The federal government has signed information sharing agreements with several municipal governments in Ontario. Similar agreements are being pursued with other provincial governments and municipalities.

BUILDING PARTNERSHIPS: INFORMATION SHARING

Through their respective programs, the different orders of government (federal, provincial, municipal) often provide services to the same clients. Sharing information about all their clients is key to coordinating the delivery of services and to avoid abuse of their programs (e.g. cross-checking client identification and eligibility for benefits). A Memorandum of Understanding (MOU) on information sharing achieves this objective. Citizenship and Immigration has been negotiating or has concluded such MOUs with provinces and municipalities, including:

- Metro Toronto as well as the regional municipalities of Ottawa-Carleton, Peel, York, Hamilton-Wentworth;
- the cities of London and Windsor;
- the provinces of Alberta and Ontario (Ministries of Health, Community and Social Services).

Such partnerships benefit all parties: they facilitate the administration of the federal Immigration Act and of provincial legislation on social assistance and health care, they allow mutual cost savings and improve program delivery.

8. Partnerships — Strengthened partnerships with Canada Customs and the Canada Passport Office will allow for better information collection and sharing. A full review of all border control operations will be conducted in cooperation with Justice,

Solicitor General and Revenue Canada with a view to increasing efficiency and effectiveness. Building on the experience of the Immigration/Police Task Force, the Department is entering into discussions with provincial governments and police agencies to establish cooperative mechanisms better suited to regional needs. The Department is also devoting increased resources to respond to the challenge of organized crime, in particular from Asia and Eastern Europe, through partnership with the RCMP and other agencies.

CIC is a partner in the Safe Streets/Safe Homes initiative and will work with both immigrants and communities in finding improved techniques to prevent crime.

CANADA'S HEALTH CARE SYSTEM

Publicly funded health care is an important aspect of Canadian society. Preserving Canadians access to health care can mean denying access to people from other parts of the world. Balancing Canada's self-interest with compassion and understanding in such circumstances is one of the goals of immigration policy.

The **Immigration Act** sets out the conditions under which people will not be admitted to Canada. This includes individuals who represent a danger to public health or whose medical condition would cause, or might reasonably be expected to cause, excessive demands on health or social services.

During the consultations mixed messages were heard about medical inadmissibility. Some participants called for more stringent screening of potential immigrants. Others called for fewer restrictions. A number of people disagreed with what they understood to be existing policies concerning people with disabilities. They suggested that the system require improved mechanisms to determine whether a potential immigrant is likely to pose an "excessive demand" on Canada's health care system.

"Health is and should be a major consideration. If a person is going to be a financial burden on the fragile system they should not be considered for immigration." Consultations participant, London, Ontario

New directions

1. New regulations — Draft regulations to define “excessive demand” were pre-published in August 1993. Over the next several months, revised draft regulations will be discussed with provinces, medical experts and other interested parties with a view to implementation in the context of the 1996 immigration plan. These regulations will protect Canada’s health and social services systems while recognizing that immigrants, once established in Canada, contribute to sustaining these same systems. The challenge is to find a way of defining excessive demand which accomplishes this, is administratively simple and can be easily understood by the public.

Under these regulations, people with certain medical conditions will continue to be inadmissible to Canada. However, people found to be Convention refugees in Canada, who have a condition which may be expensive to treat or who require extensive care, will continue to be eligible to remain in Canada as permanent residents.

CANADA’S SOCIAL BENEFIT SYSTEMS

The consultations also revealed that many Canadians are concerned about the sustainability of Canada’s social benefits systems. Perceptions of extensive social assistance abuse and manipulation of Canada’s judicial and quasi-judicial systems by immigrants and refugees far exceed reality. Nevertheless, this perception has led to a widespread view that Canada can no longer afford the burden that current immigration policies and practices are placing upon these systems.

“Canada has spent large amounts in social services... — more than it can afford.” German Canadian Association of Nova Scotia, Halifax, Nova Scotia

New directions

1. Rebalancing immigration — The relationship between the main components of immigration will be shifted to focus more on those less likely to require public assistance. Over time, economic immigrants will comprise a larger percentage of total newcomers as compared to family immigration.

2. Dealing with sponsorship breakdown — Sponsorship breakdown has been identified as a source of increased costs. Changes to the sponsorship obligations and their more rigorous enforcement will enhance the fairness of access to social benefit systems.

3. Federal-provincial cooperation — Discussions with the provinces have confirmed the importance of a shared perspective on eligibility for and access to benefit programs. Improved information sharing among governments is key to cooperation and has led to the creation of a provincially led federal-provincial work group on “information sharing and research”. In addition, information sharing agreements have been signed with six municipalities in Ontario and efforts are underway to increase this number and to develop similar agreements at the provincial level.

F. SERVING CANADA BETTER

The consultations and the Department’s own review of its programs brought long-standing concerns about the quality and consistency of CIC’s services into clear focus. Many participants identified areas where the delivery of the immigration and citizenship program requires improvement. For example, a number were troubled by lengthy processing delays and the absence of processing standards with respect to visa applications. Others expressed concern that newcomers and Canadians are not always treated fairly or with dignity.

Both the public and department officials expressed frustration at the lack of consistent and credible information and data to measure programs and performance. In addition to reinforcing poor public perceptions, this absence frustrates efforts to effectively evaluate long-term policy.

The success of the strategic framework will depend largely upon CIC’s ability to construct and manage durable, cost effective and results-oriented systems, which treat people with dignity and respect. The Department will also have to build stronger partnerships with other federal departments, provinces and municipalities. Finally, successes must be well communicated to the public in order to renew public confidence.

CIC is committed to providing the best possible information and service in order to serve the large number of people who seek to visit or immigrate to Canada or who want to sponsor family. The needs of CIC's clients vary significantly. In some cases, clients want fast service. Others want considerable assistance to deal with issues that speak to their specific needs. In all cases, CIC must serve the best interests of the Canadian public, even at the expense of inconvenience.

CIC has been working toward a proper balance between servicing direct clients and managing the movement of people. New strategies have been adopted to accelerate processing times and simplify procedures for most routine cases. For example, CIC has shifted to mail as opposed to face-to-face processing, and focused its resources on cases where the potential risk is greatest. It has adopted and refined profiling approaches and strengthened its information gathering to help distinguish between routine cases and those which require greater attention. CIC is working on a formal risk management framework and supporting information system to strengthen its decision making processes.

Service quality has improved. Only a few years ago those seeking service almost always faced long delays and line-ups as officials tried to cope with large and growing backlogs. In 1988, the refugee determination backlog of 120,000 cases meant 3 to 5 year delays. Line-ups for services in Canada started in the early morning hours and wound

around city blocks. Enforcement and removal was inefficient. Fewer than one thousand persons a year were being removed — a rate that failed to keep pace with the number ordered removed. The citizenship process was slow and expensive. In March, a backlog of approximately 140,000 citizenship applications existed, which was increasing at a rate of 10,000 per month. In some areas, the waiting period from the date of application to the date of becoming a citizen was as long as 2 1/2 years.

"...if more time and care were taken processing fewer applications...a more effective immigration system might emerge." Consultations participants, Toronto, Ontario

Centralized information-based processing centres have been established in Vegreville and Mississauga to improve the efficiency of the delivery of immigration inland services. A centralized processing centre for citizenship has been in existence in Sydney, Nova Scotia since the mid-1980s. While the new centres are experiencing some

start-up problems, measures have been implemented to ensure that they deliver prompt client service at less cost than previous techniques.

A number of changes have also been made to the citizenship process in order to resolve the application backlog. Group testing for language and knowledge skills and an increase in the daily number of individual hearings, has, over the last six months, reduced the backlog by 10%. Extended hours for citizenship courts have increased public accessibility.

Abroad, various initiatives have been implemented to increase productivity and the level of service to clients. In New Delhi, for example, new management approaches and technologies have reduced backlogs and improved processing times considerably. Most visa offices are up to date with immigrant and visitor applications. Area processing offices have been created in locations such as Buffalo and London to concentrate resources and increase productivity. Buffalo now receives one in eight applications worldwide and the London office has increased its productivity by 25% while taking on added responsibility for all of Northern Europe.

As part of the government-wide initiative to develop and publish service standards, CIC is developing benchmarks which will describe clearly the services the public is entitled to receive, define the obligations of clients, and set specific targets for timeliness, cost, quality and client satisfaction. Certain timeliness standards already exist. In the implementation phase of the Vegreville Case Processing Centre the service standard for all visitor services is 25 calendar days from the day the client sends the application to the day the decision arrives. For immigration applications 90 days separates receipt of application from approval, pending health, criminality and security checks. These standards will be reviewed as the centre reaches its full potential. Processing times have also been established for applications to sponsor spouses (80% of routine cases are processed within six months) and medical processing (21 days on average). An outreach program is in place to communicate all established service standards to immigration lawyers and consultants.

There continues to be significant room for improvement and efforts in that direction will persist. Significant productivity advances are expected through CIC's Business Process Re-engineering Project, now entering its system development phase. Notably, it will reduce costs at the same time it improves client service.

New directions

The Department has undertaken a comprehensive service renewal initiative.

1. **Faster family reunification** — Currently, applications for people being sponsored by their spouse must be processed outside of Canada. This has been the source of frustration for many couples. To satisfy this requirement, the sponsored spouse is often asked to cross the border into the United States to obtain a permanent resident visa at the nearest Canadian consulate. This unnecessary "formality" will be addressed in upcoming changes to the regulations.
2. **Service Charter and standards** — In 1995 the Department will publish a Service Charter to guide its employees and to ensure that clients know what they can expect, what is expected of them and what avenues of redress are available to them. Service standards are being set for other aspects of file processing and for answering inquiries about case status.
3. **Performance indicators** — Key to the success of service renewal will be the Department's ability to measure and make public the extent to which it is meeting its standards. The Department will be implementing a revised performance measurement system that will permit it and others to monitor service and adapt as necessary. The new system will include opportunities for clients to express their views on the quality of service they receive.
4. **Technological advances** — A sound technological infrastructure to serve both immediate and future needs is key to achieving excellence in the delivery of immigration and citizenship programs. The Department has already begun to put this infrastructure in place. For example: A modern data communications network is currently being installed; A modern desktop infrastructure has been installed at the

work station level as the first of many planned investments. In addition, a comprehensive information technology strategy has been adopted which clearly states how CIC will pursue technological modernization over the next few years.

In conjunction with the Business Process Re-engineering project the Department is designing systems on the basis of the “client continuum” which links all stages of the process: application to be admitted to Canada, acquisition of Canadian citizenship and issuance of a passport. This will not only improve the Department’s service to the public, but help to protect the integrity of the systems, and permit better cooperation with other levels of government.

Recognizing the significant challenges the Department faces in terms of “information”, it is moving toward a full fledged “Decision Support Infrastructure”. This concept includes utilizing modern technology to separate information systems from operational systems. By doing so, CIC will be able to access information quickly for monitoring decisions and performance, assessing and managing risk, research and policy formulation. It will also assist in the preparation of straightforward, easily understood and impartial reports that can be used by the public and the media as a source of relevant, consistent and factual information. This work is well underway with initial implementation to begin in early 1995.

6. Making Canadian documents more secure — Improved technology offers innovative opportunities to prevent Canadian documents from being counterfeited or used fraudulently. A new permanent resident card is currently being developed to facilitate the movement of legitimate travellers across Canadian borders and through airports. Added security features will significantly reduce the likelihood of fraud or illegal use of the document.

7. Centralizing medical assessments — To reduce costs, further centralization of medical assessment centres overseas will be undertaken. Medical assessments normally consist of a paper review of an examination conducted by an authorized physician, supplemented by a chest x-ray.

CONCLUSION

In a time of global economic and social change, Canada's immigration and citizenship program needs to set new priorities and embark upon a plan of action which will help take this country into the 21st century. This Strategic Framework — this plan for the future — sets new priorities and establishes the direction for the immigration and citizenship program.

The immigration and citizenship consultations that shaped this Strategic Framework engaged Canadians from all walks of life in an informed discussion about the program. The intent was to seek out new views and ideas on Canada's immigration, citizenship and refugee systems from business people and educators, entrepreneurs and health care workers, police and community service providers and Canadians in general. Provinces, municipalities and communities also offered their unique perspectives on the direction that the program should be taking.

The consultations were important for a number of reasons. They gave direction on what needs to be done and provided a number of realistic options on how best to achieve the objectives of the program. They confirmed that inclusive decision-making is in the best interest of Canada and all Canadians. They provided opportunities for people with differing points of view and interests to sit down and discuss their differences. They confirmed that while Canadians want to participate in decision-making, they expect governments to make the hard choices.

In some cases, such as Canada's international role in dealing with forced migration and humanitarian issues, most consultation participants indicated that government is in the best position to determine the course of action. In others, such as the definition of family, it is evident from the wide range of views expressed that further discussion is needed before concrete measures can be adopted. Considering what has been accomplished in just nine short months of consultations, reflecting on some of the more complex issues seems both reasonable and promising.

The Framework is based on fairness, sustainability, affordability and partnership. The first concrete step in realizing this Framework is *A Broader Vision: Immigration Plan for 1995-2000*. The goal of the plan is to balance the various immigrant categories to

achieve maximum economic and social benefits. The share of economic immigrants will increase from 45% to 53%, while family will decrease from 51% to 44% over the period of the plan. This will make the immigration and citizenship program more affordable and sustainable — prerequisites to achieving immigration consistent with 1% of Canada's population.

The directions set out in this Framework will lead to fairer treatment of newcomers and Canadians. Changes to the selection of skilled workers and immigrants will increase the economic benefits of immigration. A new approach to family will respond to the desire of many who cannot now sponsor those they would like to bring to Canada. It will ensure that all sponsors are held responsible for fulfilling their obligations. Canada's humanitarian efforts will be re-oriented to focus on addressing the root causes of forced migration while continuing to provide protection for people facing persecution. Resources are limited, however, and partnership among all interested parties will be essential. Changes to the control and enforcement aspect of the program are designed to better protect Canadians and Canada's institutions. Service improvements are an essential element of the Framework. The success of the Framework will depend upon the Department's ability to manage internal change in an every changing domestic and international environment.

These days, international migration is often seen as a problem. Canada, however, is an excellent example of a country which has been served well by immigration. To ensure that the immigration and citizenship program continue to benefit Canada and Canadians, a rational plan is required — a plan which does not focus exclusively on numbers, but on all aspects of the program.

GLOSSARY

These definitions are for information only. Legal definitions for many of the phrases that follow can be found in the **Immigration Act** and its **Regulations**.

Absorptive capacity — the capacity of a society to successfully integrate newcomers.

Accreditation — the recognition in Canada of foreign education, training and experience.

Adjudicator — a member of the Adjudication Division of the Immigration and Refugee Board, with the power of a Commissioner under Part 1 of the **Inquiries Act**. Adjudicators preside over immigration inquiries, hearings and detention reviews.

Adjustment Assistance Program (AAP) — the federally funded immigrant settlement program which provides financial assistance for the basic needs of, most often, government-sponsored refugees during their first year in Canada or until they become self-supporting, whichever comes first.

Admission — permission to come into Canada as an immigrant or as a visitor (see **Entry and Landing**).

Assisted relatives — immigrants, other than members of the family class, with close relatives in Canada, for example, sister, brother, aunt, uncle.

Authorization see **Employment authorization** or **Student authorization**

Business process re-engineering — the re-organisation of activities for improved efficiency in delivering the programs of the Department of Citizenship and Immigration.

Canada-Québec Accord — the Accord through which the federal government renewed Québec's selection powers for independent immigrants and transferred to Québec the responsibility for the integration of its immigrants. Under the Accord, the federal government maintained responsibility for admitting immigrants, granting permanent resident status, overseeing control and enforcement activities, and granting citizenship.

Canadian citizen — a person who was born in Canada or who has applied through the Department of Citizenship and Immigration and has received a citizenship certificate.

Client continuum — maintaining a single file on a person to be used during the processes of immigrant application abroad, permanent residence application in Canada, and Canadian citizenship and Canadian passport applications.



“CNN” effect — instantaneous availability of information throughout the world.

Control and enforcement — that part of the immigration program whose main objectives are the protection of the integrity of the immigration, refugee determination and citizenship processes, and the protection of the health and safety of Canada and Canadians.

Convention refugee — any person who, by reason of a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion,

- i) is outside the country of the person’s nationality and is unable or, by reason of that fear, is unwilling to avail himself of the protection of that country or
- ii) not having a country of nationality, is outside the country of the person’s former habitual residence and is unable or, by reason of that fear, is unwilling to return to that country.

Departure order — an order issued to a person who has violated the **Immigration Act**. The order requires that person to leave Canada within a prescribed period and permits re-application for admission. A departure order will be deemed to be a deportation order (see below) if the person does not leave Canada within the prescribed time and obtain proof of departure. If a certificate of departure is not obtained, re-application for admission will not be possible without Ministerial consent and reimbursement of removal costs.

Dependants — the spouse of a prospective immigrant and the children of that immigrant who are (whether born or adopted before the age of 19):

- unmarried and under 19 years of age;
- full-time students; or
- mentally and/or physically disabled and unable to support themselves.

Deportation order — a removal order issued to someone who is inadmissible to Canada on serious grounds or who has committed a serious violation of Canadian law. Deportation permanently bars future admission to Canada unless Ministerial consent is granted.

Designated class — permits the selection of immigrants who may not necessarily be Convention refugees, but whose admission to Canada would be in accordance with this country’s humanitarian tradition toward the displaced and the persecuted.

Designated occupation — an occupation in a locality or area in Canada designated by the Minister, after consultation with provincial authorities, as a zone in which workers in that occupation are in short supply.

Eligibility criteria — are used to determine whether a person is, in fact, entitled to make a refugee claim before the Immigration and Refugee Board.

Employment authorization — a document issued by a visa officer or immigration officer, authorizing a person other than a Canadian citizen or permanent resident to work temporarily in Canada.

Entrepreneur — an immigrant (see definition below) who intends and has the ability to establish, purchase or make a substantial investment in a business or commercial venture in Canada. This venture must make a significant contribution to the economy and create or maintain one or more jobs in Canada other than for the entrepreneur and their dependants. The entrepreneur must have the ability, and be actively involved in the on-going management of the business or commercial venture.

Entry — the lawful permission to come into Canada as a visitor.

Excessive demand — grounds for disqualification for visitors and immigrants seeking to come into Canada, or already in the country, when it can be reasonably expected that their demands on health or social services would exceed the average *per capita* cost.

Exclusion order — a removal order issued to someone at a Canadian port of entry for a minor offence, such as incomplete documentation, barring admission for one year.

Family class — the class of immigrants made up of close relatives of a sponsor (see definition below) in Canada, for example, spouse, dependant children, fiancé (e) .

First asylum — the principle intended to prevent “asylum shopping” (choosing a specific country for reasons other than protection) by requiring refugee claimants to make a refugee claim in the first country where that person is entitled to do so.

1951 Geneva Convention — the United Nations Convention Relating to the Status of Refugees signed in Geneva. Signatory countries (Canada — 1969) subscribed to international standards governing the protection of post-World War II refugees for events that occurred prior to 1 January, 1951 (see **Convention refugee** and **1967 Protocol**).

Governor-in-Council appointees — the government has discretion in appointing the chairperson, senior managers and members of the Convention Refugee Determination Division (CRDD) and members of the Immigration Appeal Division (IAD) of the Immigration and Refugee Board (IRB), all other staff are public servants.

Host program — the federally funded immigrant settlement program which finances organizations to recruit, train, and co-ordinate volunteers who are matched with newcomers to help them adapt, settle and integrate into Canadian society.

Immigrant — a person who comes to settle in Canada as a permanent resident (see definition below).

Immigration and Refugee Board (IRB) — a Board established by section 57 of the **Immigration Act** comprised of three divisions: the Convention Refugee Determination Division, the Immigration Appeal Division, and the Adjudication Division.

Immigration officer — employees of the Department of Citizenship and Immigration who are designated by the Minister with authority to enforce any provision of the **Immigration Act and Regulations**.

Immigration plan — the planned estimate of the total number of immigrants and refugees who are to be admitted into Canada during the next calendar year. Projections are made in consultation with NGO's, provincial governments and other interested parties.

Immigrant Settlement and Adaptation Program (ISAP) — the federally funded immigration settlement program which provides immigrants with services such as reception, orientation, translation and interpretation, counselling and employment related services. These services facilitate the adaptation, settlement and integration of newcomers to Canada.

Improperly documented — refers to people who travel without genuine, unaltered travel documents, such as a valid passport or visa, as required by the **Immigration Act and Regulations**.

Independents — the class of immigrants including “skilled workers” selected for their labour market skills and “business immigrants” (self-employed persons, entrepreneurs and investors) selected on the basis of their business experience and other related skills using a set of rated criteria (“the points system”).

Info Centre — an accessible, national resource centre for the purpose of exchange of information on programs, services and activities for established, as well as, new groups of immigrants.

Information sharing agreement — a formal and legal agreement between the Department of Citizenship and Immigration and another government partner. The agreement describes information to be exchanged for the specific purpose of enforcing legislation.

Integration — the accommodation of immigrants and their acceptance as equally participating member in Canadian society, while at the same time, recognizing the distinct cultural values and identities of various immigrant groups.

Interdiction — means prohibiting individuals (usually improperly documented) from embarking upon illegal travel to Canada (most commonly by air).

International responsibility sharing agreements — international agreements authorized under section 108.1 of the **Immigration Act** whose purpose is to determine which single country, other than the country of origin, will have the responsibility for examining a refugee claim and, where needed, providing protection under the **1951 Geneva Convention Relating to the Status of Refugees**.

Investor — a person with a proven track record in business who has an accumulated net worth of at least \$500,000 and who makes an investment in a project which has been assessed by the province of intended residence as being of significant benefit to its economy. The project must also contribute to the creation or continuation of employment opportunities for Canadian citizens or permanent residents.

Involuntary migration — means the forced migration of people from their homelands due to a situation which makes it intolerable for them to remain.

Labour market shortage — a situation that exists when Canadian employers have persistent difficulties in finding individuals with specific occupational qualifications to fill job vacancies.

Landing — lawful permission to come into Canada to establish permanent residence.

Language Instruction for Newcomers to Canada Program (LINC) — the federally funded immigrant settlement program which provides basic language training, in either English or French, for adult newcomers to ease their social, cultural and economic integration into Canada.

Labour Market Language Training (LMLT) — the federally funded immigrant settlement program which provides language instruction to immigrants who have job skills needed in Canada but who lack the specialized language skills needed for these jobs.

Minister's permit — a written permit issued by the Minister, or authorized departmental official, allowing a person seeking entry to Canada to come into or remain in the country even if that person is a member of an inadmissible class or, if already in Canada, has been subject of a report with a view to their removal.

Moratorium — temporary prohibition or suspension usually of removals of illegal migrants from Canada.

National Forum on Health — is chaired by Prime Minister Jean Chrétien, with Minister of Health, Diane Marleau, as vice-chair, and is made up of 20 Canadians knowledgeable about health as volunteers, professionals and consumers. The mandate of the Forum is to develop a new vision for Canada's health system and to promote a dialogue with Canadians about their health system.

National Resource Centre — a proposed mechanism for sharing information with the provinces and other partners on better ways to integrate immigrants.

Permanent resident — an immigrant who has not become a Canadian citizen.

Permanent resident card — a card that identifies the person as a permanent resident in Canada and facilitates the bearer's movement across Canadian borders and through airports. **Point system** — the selection system used to select independent immigrants against specific factors such as education, age experience, knowledge of French and English, and labour market demand.

1967 Protocol — the **United Nations Protocol Relating to the Status of Refugees** signed in New York. Signatory countries (Canada 1969) extended the protection of the Geneva Convention to refugees for events that occurred **after** 1 January, 1951 (see **1951 Geneva Convention**).

Refugee — see **Convention refugee**

Refugee claimant — a person who has arrived in Canada and who requests refugee status. If a refugee claimant is found to be a Convention refugee, he or she may then apply for permanent residence.

Refugee sponsorship — a program which enables residents of Canada to assist in the admission from abroad, resettlement, and integration of Convention refugees and members of designated classes in a meaningful and concrete way.

Refugee plan — a projection, as part of the Immigration Plan, of the number of people to be granted permanent residence in Canada each year, as refugees, through the in-Canada refugee status determination system and through resettlement from abroad.

Removal order — an exclusion or deportation order requiring someone to leave Canada.

Self-employed person — an immigrant who intends and has the ability to establish or purchase a business in Canada that will create employment opportunity for that person, and will make a significant contribution to the economy or the cultural or artistic life of Canada.

Service provider — in the immigrant settlement program, this is usually a non-governmental organization which actually delivers a settlement service which may be funded by the Department of Citizenship and Immigration.

Settlement — the process by which a newcomer to Canada acquires skills and knowledge to fully participate in all aspects of Canadian society.

Skilled workers — independent immigrants who are admitted to Canada on the basis of their job skills.

Sponsor — a person who sponsors an immigration application made by a member of the family class.

Sponsorship breakdown — when a sponsor no longer provides assistance to a sponsored immigrant as provided for in the sponsorship agreement.

Statutory declaration — a written statement sworn under oath in the presence of a lawyer.

Student authorization — a document issued by a visa or immigration officer authorizing a visitor to take academic, professional or vocational training courses at a Canadian university, college or other institution.

Travel document — a valid and subsisting document issued for the purpose of international travel such as a passport or visa.

Tribunal — a quasi-judicial body empowered to make decisions.

Visa — a document issued, or a stamped impression on a document, issued by a visa officer concerning a person's eligibility to enter Canada.

Visa officer — an immigration officer of the Department of Citizenship and Immigration stationed outside Canada and authorized to issue visas.

Visitor — a person, other than a Canadian citizen, permanent resident or Minister's permit holder, who is lawfully in Canada, or seeks to come to Canada, for a temporary purpose.

Women at risk program — a program to resettle refugee women at special risk in countries of first asylum; many of whom have lost their husbands and have limited resettlement prospects often because of their responsibilities for children.



LEGAL FRAMEWORK

Upon the coming into force of the **Department of Citizenship and Immigration Act** on June 23, 1994, a new department of the Government of Canada was created in recognition of the significance of immigration to Canada and the links between immigration and citizenship.

This same Act provides for the appointment of the Minister of Citizenship and Immigration who holds office during pleasure and is responsible for the management and direction of the department.

The Minister is empowered with authority in all matters relating to citizenship and immigration within the jurisdiction of Parliament. Upon the approval of the Governor in Council, the Minister has authority to enter into specific agreements with any of the provinces, foreign governments or international organizations in the formulation, co-ordination and implementation of policies and programs for which the Minister is responsible. The Minister is also the “appropriate minister” for the Immigration and Refugee Board and for the purposes of the **Financial Administration Act**.

The **Department of Citizenship and Immigration Act** also establishes the position of the Deputy Minister of Citizenship and Immigration and recognizes employees in their positions in the Department of Citizenship and Immigration under the authority of the deputy head of that Department.

Any legal and contractual authorities, duties and functions relating to citizenship or immigration matters continue under the Minister, Deputy Minister and any appropriate officer of the Department of Citizenship and Immigration.

The main objectives of Canada’s immigration program are to reunite families, protect Convention refugees, promote Canada’s economic development, and protect its health and safety. This is achieved under the **Immigration Act and Immigration Regulations, 1978**, by which the Minister carries out the following responsibilities with respect to immigration: immigration applications overseas and in Canada; visa requirements and refugee matters; enforcement; setting immigration levels and selection criteria, settlement policies and programs and federal-provincial relations on immigration matters.

The department also manages the services, programs and processes necessary for citizenship registration. The **Citizenship Act** and the **Citizenship Regulations, 1993**, provide for the determination of citizenship rights and claims, the naturalization of non-Canadians and the administration of all related citizenship matters.



The **Department of Citizenship and Immigration Act** also contains a consequential amendment to the **Department of National Health and Welfare Act** reflecting the transfer of responsibility for inspection and medical care of immigrants to the Minister of Citizenship and Immigration.

The department is subject to the provisions of and operates in conformity with other related federal statutes.

Under the **Access to Information Act**, the department is required to respond to information requests from individuals regarding such areas as policy, program development, legislative and regulatory changes as well as other general information about the department.

The department is bound by the provisions of the **Privacy Act** in acceding to requests for personal information by individuals or their authorized agents from their own files, while at the same time protecting their right to privacy by not releasing this information to the public.

The department is particularly conscious of the provisions of the **Charter of Rights and Freedoms** in carrying out its legislative mandate.

IN-CANADA DELIVERY SYSTEM

Immigration

A major objective for 1995 is to fine-tune the case processing centres which were set up in 1994 in Vegreville, Alberta and Mississauga, Ontario to process mailed-in applications for visitor status, employment and student authorizations, permanent resident status and sponsorships of family members. These centres make about 300,000 decisions a year. Negative decisions which involve judgement, such as whether a person is an immigrant or a visitor, are made by officers in the local office.

Information on cases in process is available to clients through an automated telephone system. Local offices provide communities with general information on immigration. National standards of service will be published which give clear descriptions of the services the public is entitled to receive, obligations of clients and specific targets for timeliness, cost, quality and client satisfaction.

Citizenship

As of October 1994, the Citizenship Registration and Promotion Branch consisted of a headquarters operation co-located in Hull, Quebec and Sydney, Nova Scotia. The Hull office is the national headquarters and is primarily responsible for developing program policy and for managing contentious cases. Sydney Operations acts as the main processing centre for most applications and is where all Canadian citizenship records are maintained.

The public is served directly through 32 citizenship courts across Canada which deal with all manner of inquiries and accept any type of citizenship application including the grant, proof and renunciation of citizenship and the search of citizenship records. A citizenship card centre was established in Toronto, Ontario in 1993 to respond to the high demand in that area for proofs of citizenship by Canadian citizens.



To further improve service and provide people with options, two experimental centres were established this fall. The first centre is a mail-in centre in Hull that accepts mailed-in applications for grants of citizenship. The second centre is a quick application centre in Toronto that is being used to expedite applications made in person.

As well, significant changes were made to the citizenship process in 1994 to improve client service. Group assessments for knowledge and language replaced most individual interviews with citizenship judges. As a result, the position of citizenship judge is being discontinued. Hours of operation for citizenship courts were extended in many areas to increase public access.

The main priorities for 1995 will be implementation of the new Citizenship Act, continuing all service improvement initiatives, and finalizing a new processing system.

OVERSEAS DELIVERY SYSTEM

As of October, 1994, there were 64 Canadian missions abroad with an immigration capacity, down from 68 in 1993; 48 of the missions offer a full range of immigrant and non-immigrant services. The decrease is part of the rationalization in services begun in 1993 which is being carried out through the closure of some immigration facilities, the downsizing of others, or transferring them to larger missions.

In 1993, these posts issued 212,000 immigrant and 546,000 visitor visas, and refused 82,000 visitor visa applications. The posts also issued about 76,000 student and employment authorizations. Officers abroad work with transportation companies and local authorities to interdict irregular migrants. They also report and represent Canada on a range of immigration and refugee matters in support of the government's international agenda.



CITIZENSHIP AND IMMIGRATION CANADA

DECLARATION ON REFUGEE PROTECTION FOR WOMEN

JUNE 1, 1994

Preamble

According to the United Nations High Commissioner for Refugees, there are twenty million refugees in the world who have been forced to flee their own country to seek protection elsewhere. It is estimated that about 80 per cent of the world's refugees are women and children.

In response to the Red Book commitment to “expand the criteria for legitimate status to include women fleeing persecution on basis of gender” and to assist in addressing the difficulties faced by refugee women, Citizenship and Immigration Canada has adopted this “Declaration on Refugee Protection for Women.”

Introduction

The principle of non-discrimination, including equality of men and women, is enshrined in the United Nations Charter and the Universal Declaration of Human Rights. By invoking these instruments in its preamble, the 1951 Convention relating to the Status of Refugees places refugee protection within the context of human rights and assures refugees the widest possible exercise of fundamental rights and freedoms without discrimination. In Canada, this principle of equality is found in Section 15 of the Charter of Rights and Freedoms. Citizenship and Immigration Canada recognizes the right of refugee women to receive international protection on an equal basis with men, particularly from persecution based on gender.

The paragraphs which follow give expression to the Department's commitments in this area.

Women's rights are human rights

Citizenship and Immigration Canada, agreeing that “women’s rights are human rights”, is committed to ensuring the protection of those rights for refugees both males and females in a way that recognizes the realities of women’s lives and the nature of the human rights abuses women face.

This commitment is reflected in Canada’s active contribution to and support of such international initiatives as the Vienna Declaration and Program of Action (UN World Conference on Human Rights), the Conclusion of the 1993 Executive Committee of the UNHCR on Refugee Protection and Sexual Violence, and the United Nations “Declaration on the Elimination of Violence Against Women” adopted in 1993 by the United Nations General Assembly (UNGA 48).

This commitment flows from the Government’s recognition that, even in Canada, women may be particular targets of violence and from its commitment to protect women fleeing persecution on the basis of gender.

Women experience persecution differently from men

Citizenship and Immigration Canada is committed to an interpretation of the Convention refugee definition which includes protection from sexual violence and violations of human rights based on gender. We recognize that women may be persecuted on similar grounds as are men, but that the forms of persecution may be different; moreover, we recognize that women may be subject to persecution simply because they are women.

Barriers to state protection

Citizenship and Immigration Canada recognizes that the subordinate position of women throughout the world is an obstacle to recourse against violence, that deprivation of fundamental human rights may be entrenched in social and legal systems, and that, because of domestic responsibilities and financial dependence, women are far less mobile than men. We also recognize that women and children in refugee camps are particularly vulnerable to abuse and exploitation.

From “gender-neutrality” to “gender-inclusiveness”

Canadians are proud of our non-discriminatory laws and policies. Citizenship and Immigration Canada recognizes, however, that in order to meet our policy objectives and our international and domestic commitments, gender-neutrality is not enough. We are committed to policies and procedures that respond affirmatively to the special needs of refugee women, both in Canada and abroad.

Refugee selection overseas

Citizenship and Immigration Canada is committed to the inclusive interpretation of the definition and the gender-sensitive approach contained in the Immigration and Refugee Board Guidelines in assessing applications for resettlement from abroad by refugee women.

Citizenship and Immigration Canada recognizes the need to overcome traditional, male-oriented views of the potential of refugees for “successful establishment” in Canada. Although many refugee women have had limited access to formal education and wage employment and are often responsible for young children, many of them demonstrate great resourcefulness, life skills, and adaptability, which are useful in coping with a new life in Canada.

Gender sensitivity in Canada

The ability to question with sensitivity, awareness of the signs of gender-related persecution, and knowledge of conditions affecting women in source countries, are required of those who deal with refugee women. Citizenship and Immigration Canada is committed to the development of training and direction for all immigration officers in Canada and abroad, for other staff, and for interpreters, to promote this sensitivity, awareness and knowledge. Citizenship and Immigration Canada is also committed to achieving an equitable gender balance in the selection of staff throughout the organization.

Citizenship and Immigration Canada recognizes that refugee claims by women may be jeopardized because they do not tell of experiences of sexual violence, they may be unwilling to speak of such experiences in front of their husbands, or they may be intimidated by the presence of male officials or interpreters.

Wherever operationally feasible, Citizenship and Immigration Canada will ensure that women making refugee claims have the option of being interviewed by female officers, with the assistance of trained female interpreters.



NOTES

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